

By Mr. ROWE: Petition of Chamber of Commerce of State of New York, favoring an increase of salary for tariff commissioners of United States; to the Committee on Ways and Means.

Also, petition of John L. Nellis, Brooklyn, N. Y., protesting against national prohibition; to the Committee on the Judiciary.

Also, petition of Wallace & Co. and J. J. Snyder & Son, both of Brooklyn, N. Y., favoring increase in rate for periodicals; to the Committee on the Post Office and Post Roads.

Also, petition of M. H. Tracy & Co. and Joseph H. Nelson, both of New York City, protesting against discontinuance of pneumatic mail-tube service; to the Committee on the Post Office and Post Roads.

Also, petition of Broadway Board of Trade, favoring passage of Griffin-Penrose bill for pensioning post-office employees; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Papers to accompany House bill 19050 in pension case of William D. Hall alias William D. Hill; to the Committee on Invalid Pensions.

Also, petition of Frank McLaughlin, of Charlotte, Mich., favoring reasonable allowance for equipment maintenance for rural carriers; to the Committee on the Post Office and Post Roads.

Also, petition of E. V. Cole and three others, of Grand Ledge, Mich., against increase in postage; to the Committee on the Post Office and Post Roads.

Also, papers to accompany House bill 18438, in pension case of Charles W. Bennett; to the Committee on Invalid Pensions.

By Mr. SCULLY: Memorial of board of commissioners of Hoboken, N. J., favoring embargo on foodstuffs; to the Committee on Interstate and Foreign Commerce.

Also, memorial of board of directors of Troy (N. Y.) Chamber of Commerce, relative to widening the Narrows of Lake Champlain; to the Committee on Rivers and Harbors.

Also, memorial of employees of various terminal railway post offices, for increase in pay; to the Committee on the Post Office and Post Roads.

Also, memorial of American Association of State Highway Officials, favoring appropriation for completion of topographic maps; to the Committee on Appropriations.

By Mr. TEMPLE: Petition of Robert M. Dean and Charles E. Berchtold, of New Brighton, Pa., in favor of increasing the salaries of rural carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Peter Bollenbacher, secretary of Trades-Union Liberty League of Pennsylvania, opposing the prohibition measures now pending in Congress, and Joseph Proebstle, international secretary of International Union of the United Brewery Workmen, Cincinnati, Ohio, opposing the prohibition measures now pending in Congress; to the Committee on the Judiciary.

By Mr. TINKHAM: Petition of Milton Woman's Club, of Milton, Mass., in favor of the erection of a new immigration station for the port of Boston; to the Committee on Public Buildings and Grounds.

Also, petition of West Roxbury Citizens' Association, West Roxbury, Mass., favoring nation-wide prohibition; to the Committee on the Judiciary.

By Mr. TREADWAY: Petitions of sundry citizens of Holyoke, Pittsfield, and Shelburne Falls, all in the State of Massachusetts, favoring national prohibition; to the Committee on the Judiciary.

By Mr. WALSH: Petition of Union Service of Churches, by George R. Locke, chairman, representing 100 people of Provincetown, Mass., favoring national constitutional prohibition; to the Committee on the Judiciary.

By Mr. WATSON of Pennsylvania: Petition of E. S. Augstadt and 45 other postal employees, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. WOODYARD: Papers to accompany House bill 19616, for relief of Franklin T. Lockhart; to the Committee on Invalid Pensions.

## SENATE.

THURSDAY, January 4, 1917.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee for those things that are fixed and changeless, and we thank Thee for the things that are ever changing and ever new. Out of the one we receive our inspiration and our hope; out of the other we build our character and shape our destiny. Grant us grace this day. Grant that in this sacred moment we may enter into the realm of closed questions with God and go out into the battle of life imbued with Thy spirit and guided with Thy truth. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

## MUNITIONS OF WAR (S. DOC. NO. 664).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a copy of the proceedings of a board of officers convened by the Secretary of War to investigate and report upon the feasibility, desirability, and practicability of the Government manufacturing arms, munitions, equipment, etc., which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

## OFFICE OF THE CHIEF OF ENGINEERS (S. DOC. NO. 662).

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting supplemental estimates of appropriation for additional clerical force in the Office of the Chief of Engineers for the fiscal year 1918, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

## MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed a bill (H. R. 15913) to authorize the Secretary of Agriculture to establish uniform standards of classification for cotton; to provide for the application, enforcement, and use of such standards in transactions in interstate and foreign commerce; to prevent deception therein; and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the joint resolution (S. J. Res. 186) authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River, with amendments, in which it requested the concurrence of the Senate.

## PETITIONS AND MEMORIALS.

Mr. BRADY. I present a resolution adopted by the State Board of Land Commissioners of the State of Idaho petitioning the Federal Government to grant to that State 1,000,000 acres of unappropriated lands to be sold as other State lands, the proceeds of which sale shall be devoted to the building and improving of wagon roads in the State of Idaho. I ask that the resolution be referred to the Senate Committee on Public Lands for consideration in connection with the bill introduced by me December 5, being Senate bill 7042, granting to the State of Idaho 2,000,000 acres of lands to aid in the construction and maintenance of public roads in the State of Idaho.

The PRESIDENT pro tempore. Without objection, the resolution will be received and referred to the Committee on Public Lands.

Mr. BRADY. I present a petition signed by a large number of citizens of St. Maries, Idaho, praying for an embargo on food and leather leaving this country. I move that the petition be received and referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. PHELAN. I present, in the form of a memorial, three telegrams from organized-labor associations of California with respect to oriental immigration and ask that they be printed in the Record.

There being no objection, the telegrams were ordered to lie on the table and to be printed in the Record, as follows:

[Telegram.]

SAN FRANCISCO, CAL., January 3, 1917.

HON. JAMES D. PHELAN,  
United States Senate, Washington, D. C.:

As you doubtless know, organized labor of California is as united as ever in the demand for really effective legislation which will bar all Asiatic laborers from our shores. We therefore strongly favor the House language of the immigration bill, which would prevent Hindus and persons ineligible to citizenship from entering the United States. We also urge you to stand firmly for your amendment, which would permit only citizens or those who have declared their intention to become citizens to send for their wives.

CALIFORNIA STATE FEDERATION OF LABOR,  
DANIEL C. MURPHY, President,  
PAUL SCHARRENEBERG, Secretary,  
STATE BUILDING TRADES COUNCIL,  
P. H. MCCARTHY, President,  
O. A. TVEITMOE, Secretary.

[Telegram.]

SAN FRANCISCO, CAL., January 3, 1917.

HON. JAMES D. PHELAN,  
Washington, D. C.:

San Francisco Labor Council, representing 50,000 workers, in thorough accord with your activity on immigration bill. Stand firm in your position favoring the language in House bill, which bars Hindus and persons ineligible to citizenship entering the United States. Keep up the good work.

SAN FRANCISCO LABOR COUNCIL,  
JOHN A. O'CONNELL, Secretary.



[Telegram.]

SAN FRANCISCO, CAL., January 3, 1917.

HON. JAMES D. PHELAN,  
United States Senate, Washington, D. C.

Associated Anti-Japanese Leagues of California most strongly urge retention of House language in immigration bill, which bars Hindus and persons ineligible to citizenship from entering the United States; also clause that only persons naturalized or who declare intention to become citizens can send for their wives.

WILLIAM T. BONSOR, Secretary.

Mr. PHELAN presented a memorial of the Credit Men's Association and the Wholesalers' Board of Trade of Los Angeles, Cal., remonstrating against the proposed repeal of the national bankruptcy law, which was referred to the Committee on Banking and Currency.

Mr. POINDEXTER presented a petition of the Chamber of Commerce of Seattle, Wash., praying for the enactment of legislation to permit water-power producers in the Northwest to increase the use of the water supply as provided by the treaty with Canada, etc., which was referred to the Committee on Foreign Relations.

Mr. KERN presented memorials of the Glass Bottle Blowers' Association, of Terre Haute; the Brewery Workers' Union, of Richmond; the Typographical Union, of Evansville; the Hotel Employees' International Association, of Evansville; the Cigar Makers' Local Union, of Evansville; and the Central Labor Union of Evansville, all in the State of Indiana, remonstrating against national prohibition, which were ordered to lie on the table.

He also presented a memorial of the Central Labor Union of La Fayette, Ind., remonstrating against the compulsory arbitration of industrial disputes, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Central Labor Union of La Fayette, Ind., praying for the placing of an embargo on food products, which was referred to the Committee on Foreign Relations.

Mr. KENYON presented a petition of Local Union No. 242, United Mine Workers of America, of Avery, Iowa, and a petition of the Tri-City Federation of Labor, of Rock Island, Ill., praying for the placing of an embargo on food products, which were referred to the Committee on Foreign Relations.

He also presented petitions of the Chamber of Commerce of Des Moines and of Woodbury County Chapter of the Sons of the American Revolution, in the State of Iowa, praying for the enactment of legislation to provide that surplus fees received from naturalization sources be used for the education of immigrants, which were referred to the Committee on Immigration.

He also presented a petition of the Trades and Labor Assembly of Des Moines, Iowa, praying for an increase in the salaries of Government employees, which was referred to the Committee on Appropriations.

He also presented a petition of the Woman's Club of Waterloo, Iowa, praying for the adoption of an amendment to the Constitution granting the right of suffrage to women, which was ordered to lie on the table.

He also presented petitions of sundry citizens of Iowa, praying for national prohibition, which were ordered to lie on the table.

Mr. PENROSE presented a petition of sundry citizens of South Fork Borough and vicinity, in the State of Pennsylvania, praying for the placing of an embargo on food products, which was referred to the Committee on Foreign Relations.

## REPORTS OF COMMITTEES.

Mr. SIMMONS, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 7380. A bill for the construction of Coast Guard cutters (Rept. No. 894); and

S. 7381. A bill to provide adequate subsistence for the warrant officers and enlisted men of the Coast Guard (Rept. No. 895).

Mr. RANDELL, from the Committee on Commerce, to which was referred the bill (S. 4716) granting pensions to certain members of the former Life-Saving Service, reported it without amendment and submitted a report (No. 896) thereon.

Mr. KENYON, from the Committee on Education and Labor, to which was referred the bill (S. 5408) to establish in the Department of Labor a division to be known as a woman's division, reported it with amendments and submitted a report (No. 897) thereon.

## CORRUPT PRACTICES.

Mr. REED. From the Committee on Privileges and Elections I report back favorably with amendments the bill (H. R. 15842) to revise, amend, and codify the laws relating to publicity of contributions and expenditures made for the purpose

of influencing the nomination and election of candidates for the offices of Senator and Representative in the Congress of the United States, extending the same to candidates for nomination and election to the offices of President and Vice President of the United States, limiting the amount which may be expended, providing for the publicity of campaign expenses, and for other purposes, and I submit a report (No. 898) thereon.

Mr. GALLINGER. Mr. President, I will inquire of the Senator from Missouri if this is a unanimous report of the committee?

Mr. REED. It is a unanimous report of the committee. One member, or perhaps two members of the committee, have reserved the right to offer amendments upon the floor. I had intended to ask that the bill as reported from the committee be printed in the Record, but I believe I will not do so.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

## BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULBERSON:

A bill (S. 7644) to create a new division of the northern judicial district of Texas, and to provide for terms of court at Wichita Falls, Tex., and for a clerk for said court, and for other purposes; to the Committee on the Judiciary.

By Mr. KENYON:

A bill (S. 7645) to amend an act entitled "An act to increase the pensions of widows, minor children, etc., of deceased soldiers and sailors of the late Civil War, the War with Mexico, the various Indian wars, etc., and to grant a pension to certain widows of the deceased soldiers and sailors of the late Civil War," approved September 8, 1916, and for other purposes; and

A bill (S. 7646) granting an increase of pension to Daniel W. Green (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 7647) to authorize the Secretary of the Treasury to accept a title to a site for the post office at Donora, Pa., which excepts and reserves natural gas and oil underlying the land; to the Committee on Public Buildings and Grounds.

By Mr. GALLINGER (for Mr. Goff):

A bill (S. 7648) granting an increase of pension to Emma L. Porter;

A bill (S. 7649) granting an increase of pension to Daniel Vanscoy;

A bill (S. 7650) granting an increase of pension to John P. Petty;

A bill (S. 7651) granting an increase of pension to John E. Hott; and

A bill (S. 7652) granting an increase of pension to Adam Flesher (with accompanying papers); to the Committee on Pensions.

By Mr. CLARK:

A bill (S. 7653) for the relief of James D. McNutt (with accompanying papers); to the Committee on Claims.

By Mr. BRYAN:

A bill (S. 7654) for the relief of Capt. C. T. Richardson, United States Army; and

A bill (S. 7655) for the relief of C. B. Oliphant; to the Committee on Claims.

A bill (S. 7656) granting an increase of pension to Mary Renfro; to the Committee on Pensions.

By Mr. PAGE:

A bill (S. 7657) granting a pension to Mary Jedowin (with accompanying papers); to the Committee on Pensions.

By Mr. HUGHES (for Mr. Johnson of Maine):

A bill (S. 7658) for the relief of Fred W. McConky, jr. (with accompanying papers); to the Committee on Claims.

A bill (S. 7659) for the relief of Malcolm Johnson; to the Committee on Military Affairs.

A bill (S. 7660) granting an increase of pension to Richard L. K. Grant (with accompanying papers);

A bill (S. 7661) granting an increase of pension to George H. Nutting (with accompanying papers);

A bill (S. 7662) granting an increase of pension to Albert S. Farnsworth (with accompanying papers);

A bill (S. 7663) granting an increase of pension to Charles A. Mudgett (with accompanying papers);

A bill (S. 7664) granting an increase of pension to Ralph O. Mason (with accompanying papers);

A bill (S. 7665) granting an increase of pension to Warren Seaward (with accompanying papers);



A bill (S. 7666) granting an increase of pension to Elias B. Moore (with accompanying papers);

A bill (S. 7667) granting an increase of pension to Sarah Jane Estes (with accompanying papers);

A bill (S. 7668) granting an increase of pension to Chester S. Pease (with accompanying papers);

A bill (S. 7669) granting an increase of pension to Alphonso Wingate (with accompanying papers);

A bill (S. 7670) granting an increase of pension to Lillian S. Hawkes (with accompanying papers);

A bill (S. 7671) granting an increase of pension to Joseph P. Dore (with accompanying papers);

A bill (S. 7672) granting an increase of pension to Lewis Graves (with accompanying papers);

A bill (S. 7673) granting an increase of pension to Isaac F. Kendall (with accompanying papers);

A bill (S. 7674) granting an increase of pension to Davis McDonald (with accompanying papers);

A bill (S. 7675) granting an increase of pension to George Lansil (with accompanying papers);

A bill (S. 7676) granting an increase of pension to William H. Lindsey (with accompanying papers);

A bill (S. 7677) granting an increase of pension to Joseph E. Dunn (with accompanying papers);

A bill (S. 7678) granting an increase of pension to Nathaniel Sholes (with accompanying papers);

A bill (S. 7679) granting an increase of pension to George H. Young (with accompanying papers);

A bill (S. 7680) granting an increase of pension to George B. Gilbert (with accompanying papers);

A bill (S. 7681) granting an increase of pension to Edmond Gould (with accompanying papers);

A bill (S. 7682) granting an increase of pension to Joseph McKenney (with accompanying papers);

A bill (S. 7683) granting an increase of pension to George W. Brawn (with accompanying papers);

A bill (S. 7684) granting an increase of pension to John W. Small (with accompanying papers); and

A bill (S. 7685) granting an increase of pension to Byron A. Hart (with accompanying papers); to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 7686) granting an increase of pension to Adam S. Bridgefarmer (with accompanying papers); to the Committee on Pensions.

By Mr. THOMPSON:

A bill (S. 7687) granting an increase of pension to Barbara E. Wooddell (with accompanying papers); to the Committee on Pensions.

By Mr. BORAH:

A bill (S. 7688) granting an increase of pension to John Drown (with accompanying papers);

A bill (S. 7689) granting an increase of pension to Milton M. Adamson (with accompanying papers); and

A bill (S. 7690) granting an increase of pension to Aldrich S. Luther (with accompanying papers); to the Committee on Pensions.

By Mr. CLAPP:

A bill (S. 7691) for the relief of Jane B. Andrews; to the Committee on Claims.

A bill (S. 7692) granting an increase of pension to Emily M. Furber; to the Committee on Pensions.

By Mr. PENROSE:

A bill (S. 7693) to reclassify the salaries of employees above the clerical grades in post offices of the first and second class; to the Committee on Post Offices and Post Roads.

A bill (S. 7694) granting a pension to Harry E. Thompson; to the Committee on Pensions.

By Mr. CHAMBERLAIN:

A bill (S. 7695) granting an increase of pension to Walter Emerson (with accompanying papers); to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 7696) granting a pension to Mary B. Graham (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A joint resolution (S. J. Res. 189) authorizing the Postmaster General to provide the postmaster at Lamar, Colo., with a special canceling die for the third national convention of the Young Men's Business Associations of America; to the Committee on Post Offices and Post Roads.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. CLAPP submitted an amendment authorizing the Commissioner of Indian Affairs to pay out of any money belonging to the Chippewas of Minnesota to Mary Lyons Pineau, the heirs

of Julia B. Oakes, and to Jane B. Jones such amount or amounts as would have been paid to them had they not been stricken from the rolls, etc., intended to be proposed by him to the Indian appropriation bill (H. R. 18453), which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. PENROSE submitted an amendment providing for an increase in the wages, salaries, or compensation of all persons employed in the Diplomatic and Consular Service of the country, intended to be proposed by him to the Diplomatic and Consular appropriation bill (H. R. 19300), which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment providing for an increase in the wages, salaries, or compensation of all persons employed in the Indian Service of the country, intended to be proposed by him to the Indian appropriation bill (H. R. 18453), which was referred to the Committee on Indian Affairs and ordered to be printed.

#### FISH-CULTURAL STATIONS.

Mr. LIPPITT submitted an amendment intended to be proposed by him to the bill (H. R. 15617) to establish fish-hatching and fish-cultural stations in the States of Alabama, California, Louisiana, Florida, Georgia, South Carolina or North Carolina, Maryland or Virginia, Oregon or Washington, Texas, Oklahoma, Illinois, Washington, Arizona, New Mexico, Michigan, Idaho, Missouri, Pennsylvania, Delaware or New Jersey, and Minnesota, which was referred to the Committee on Fisheries and ordered to be printed.

#### AMENDMENT OF THE RULES.

Mr. JONES. Mr. President, I desire to present a notice under the rule, and ask that it may be read and lie on the table.

The notice was read, as follows:

#### Senate resolution.

I hereby give notice that on Friday, January 5, or as soon thereafter as possible, I will move to amend Rule XII of the standing rules of the Senate by adding thereto an additional paragraph, to read as follows:

"No Senator shall be permitted to pair with another Senator, or be excused from voting because of the absence of any other Senator. Any Senator being absent when any vote is taken may have the RECORD show how he would vote if present, such announcement to be made upon the calling of the roll, or at any time thereafter."

The PRESIDENT pro tempore. The notice will lie over.

#### CIVIL GOVERNMENT FOR PORTO RICO.

Mr. SHAFROTH. Mr. President, the bill (H. R. 9533) to provide a civil government for Porto Rico, and for other purposes, has been reported to the Senate and has been on the calendar for more than six months. It is a very important bill. I do not want to disturb conditions, but I wish to see if I can get unanimous consent that it be made the special order for, say, one week from to-day.

Mr. GALLINGER. I shall have to make the same objection I did on yesterday, that we can not give unanimous consent for the consideration of a bill which is not before the Senate for consideration.

Mr. SHAFROTH. Special orders are made, and it seems to me if they can be made surely it can be done by unanimous consent. Of course, if there is an objection, I recognize that no such order can be made; but I am not asking that a vote be taken upon that day, which would require, of course, that a quorum call be made. I am simply asking that one week from to-day the Porto Rican civil government bill be made the special order of the Senate.

Mr. TOWNSEND. In order to save time, I will state that I shall have to object to that. We have a regular order before the Senate, and I shall object until that has been disposed of.

Mr. SHAFROTH. Surely it will be disposed of by next Thursday, a week from to-day, will it not?

Mr. TOWNSEND. If the Senate will permit the regular order to be disposed of by that time I shall not object to the Senator's request, of course.

The PRESIDENT pro tempore. Objection is made.

#### EXECUTIVE SESSION PROCEEDINGS.

Mr. CUMMINS. Mr. President, I rise to suggest that the notice which I gave day before yesterday of a motion to amend the standing rules will be in order this morning, I suppose; but in view of what occurred yesterday, I ask that the resolution which I now offer be read and referred to the Committee on Rules.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 306) as follows:

Resolved, That the standing rules of the Senate be amended as follows:

"Amend Rule XXXV so that it will read as follows:

"On a motion to close the doors of the Senate on the discussion on any legislative business, no Senator shall speak more than once nor



more than five minutes and a two-thirds vote shall be required for its adoption.

"Amend paragraph 2 of Rule XXXVI so that it will read as follows, to wit:

"Executive business, including nominations and treaties, shall be considered in open executive session: *Provided, however,* That after the Senate upon motion made and adopted passes into executive session it shall be in order to move that any particular item of such business shall be considered and acted upon in secret, and upon the motion no Senator shall speak more than once nor more than five minutes. If the motion is adopted by a two-thirds vote, the Senate Chamber shall be cleared of all persons except the Secretary, the Chief Clerk, the Principal Legislative Clerk, the Executive Clerk, the Minute and Journal Clerk, the Sergeant at Arms, the Assistant Doorkeeper, and such other officers as the Presiding Officer shall think necessary; and all such officers shall be sworn to secrecy: *Provided further,* That treaties and confidential communications laid before the Senate by the President shall not be made public until the Senate enters upon their consideration and not then if it is ordered as hereinbefore provided that they shall be considered and acted upon in secret, and all remarks, votes, and proceedings in secret session shall be kept secret until the Senate by resolution takes off the injunction of secrecy."

"Strike out paragraph 3 of Rule XXXVI.

"Change present paragraph 4, making it 3, and also amend it by striking out in the second line thereof the words 'or confidential.'"

"Strike out paragraph 5.

"Amend Rule XXXVII as follows, to wit:

"By striking from the fourth and fifth lines the words 'to remove the injunction of secrecy, or to consider it in open executive session.'"

"Also, by striking out the ninth line on page 34 and substituting therefor the words 'if it has been or is being considered in secret session.'"

"Insert after the word 'indefinitely,' in line 20, page 34, the words 'and a motion to consider it in secret session.'"

"Also, by striking out paragraph 3.

"Amend Rule XXXVIII by striking out paragraph 2 thereof.

"If these amendments are made, Rules XXXV, XXXVI, XXXVII, and XXXVIII will read as follows, to wit:

#### "RULE XXXV.

"On a motion to close the doors of the Senate on the discussion of any legislative business, no Senator shall speak more than once nor more than five minutes, and a two-thirds vote shall be required for its adoption.

#### "RULE XXXVI.

##### "EXECUTIVE SESSIONS.

"1. When the President of the United States shall meet the Senate in the Senate Chamber for the consideration of executive business, he shall have a seat on the right of the Presiding Officer. When the Senate shall be convened by the President of the United States to any other place, the Presiding Officer of the Senate and the Senators shall attend at the place appointed, with the necessary officers of the Senate.

"2. Executive business, including nominations and treaties, shall be considered in open executive session: *Provided, however,* That after the Senate, upon motion made and adopted, passes into executive session, it shall be in order to move that any particular item of such business shall be considered and acted upon in secret, and upon the motion no Senator shall speak more than once nor more than five minutes. If the motion is adopted by a two-thirds vote, the Senate Chamber shall be cleared of all persons except the Secretary, the Chief Clerk, the Minute and Journal Clerk, the Sergeant at Arms, the Assistant Doorkeeper, and such other officers as the Presiding Officer shall think necessary; and all such officers shall be sworn to secrecy: *Provided further,* That treaties and confidential communications laid before the Senate by the President shall not be made public until the Senate enters upon their consideration, and not then if it is ordered as hereinbefore provided that they shall be considered and acted upon in secret, and all remarks, votes, and proceedings in secret session shall be kept secret until the Senate by resolution takes off the injunction of secrecy."

"3. Any Senator or officer of the Senate who shall disclose the secret business or proceedings of the Senate shall be liable, if a Senator, to suffer expulsion from the body; and if an officer, to dismissal from the service of the Senate and to punishment for contempt."

#### "RULE XXXVII.

##### "EXECUTIVE SESSION—PROCEEDINGS ON TREATIES.

"1. When a treaty shall be laid before the Senate for ratification, it shall be read a first time, and no motion in respect to it shall be in order, except to refer it to a committee, to print it in confidence for the use of the Senate.

"When a treaty is reported from a committee with or without amendment, it shall, unless the Senate unanimously otherwise direct, lie one day for consideration; after which it may be read a second time and considered as in Committee of the Whole, when it shall be proceeded with by articles, and the amendments reported by the committee shall be first acted upon, after which other amendments may be proposed; and when through with, the proceedings had as in Committee of the Whole shall be reported to the Senate, when the question shall be, if the treaty be amended, 'Will the Senate concur in the amendments made in Committee of the Whole?' And the amendments may be taken separately or in gross, if no Senator shall object; after which new amendments may be proposed. At any stage of such proceedings the Senate may remove the injunction of secrecy from the treaty, if it has been or is being considered in secret session."

"The decisions thus made shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless, by unanimous consent, the Senate determines otherwise; at which stage no amendment shall be received, unless by unanimous consent."

"On the final question to advise and consent to the ratification in the form agreed to the concurrence of two-thirds of the Senators shall be necessary to determine it in the affirmative; but all other motions and questions upon a treaty shall be decided by a majority vote, except a motion to postpone indefinitely and a motion to consider it in secret session, which shall be decided by a vote of two-thirds."

"2. Treaties transmitted by the President to the Senate for ratification shall be resumed on the second or any subsequent session of the same Congress at the stage in which they were left at the final adjournment of the session at which they were transmitted; but all proceedings

on treaties shall terminate with the Congress, and they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.

#### "RULE XXXVIII.

##### "EXECUTIVE SESSION—PROCEEDINGS ON NOMINATIONS.

"1. When nominations shall be made by the President of the United States to the Senate, they shall, unless otherwise ordered, be referred to appropriate committees; and the final question on every nomination shall be, 'Will the Senate advise and consent to this nomination?' which question shall not be put on the same day on which the nomination is received, nor on the day on which it may be reported by a committee, unless by unanimous consent."

"2. When a nomination is confirmed or rejected, any Senator voting in the majority may move for a reconsideration on the same day on which the vote was taken, or on either of the next two days of actual executive session of the Senate; but if a notification of the confirmation or rejection of a nomination shall have been sent to the President before the expiration of the time within which a motion to reconsider may be made, the motion to reconsider shall be accompanied by a motion to request the President to return such notification to the Senate. Any motion to reconsider the vote on a nomination may be laid on the table without prejudice to the nomination, and shall be a final disposition of such motion."

"3. Nominations confirmed or rejected by the Senate shall not be returned by the Secretary to the President until the expiration of the time limited for making a motion to reconsider the same, or while a motion to reconsider is pending, unless otherwise ordered by the Senate."

"4. When the Senate shall adjourn or take a recess for more than 30 days, all motions to reconsider a vote upon a nomination which has been confirmed or rejected by the Senate, which shall be pending at the time of taking such adjournment or recess, shall fall; and the Secretary shall return all such nominations to the President as confirmed or rejected by the Senate as the case may be."

"5. Nominations neither confirmed nor rejected during the session at which they are made shall not be acted upon at any succeeding session without being again made to the Senate by the President; and if the Senate shall adjourn or take a recess for more than 30 days, all nominations pending and not finally acted upon at the time of taking such adjournment or recess shall be returned by the Secretary to the President, and shall not again be considered unless they shall again be made to the Senate by the President."

Mr. NORRIS. I have just made inquiry and I understand that the resolution to which the Senator refers has not yet been printed. Will he include in his request the printing of the resolution?

Mr. CUMMINS. I asked that it be printed when I gave the notice.

The PRESIDENT pro tempore. The Chair is informed that the resolution has been printed. It will certainly be printed if referred to the committee.

Mr. CUMMINS. Let it be printed and referred to the Committee on Rules.

The PRESIDENT pro tempore. It will be so ordered.

Mr. NORRIS. I have made further inquiry and I have been informed that the resolution of the Senator from Iowa has not been printed. All I care for is to have it in print. It ought to be printed, and I understand it has not been printed.

Mr. CUMMINS. I asked that it be printed in the Record and printed in the usual form.

Mr. NORRIS. That has not been done.

Mr. CUMMINS. Leave was granted and I supposed it had been done.

Mr. CLARK. It is here on our desks.

Mr. SMOOT. It is printed. I will say to the Senator from Nebraska that it is printed and a copy is on my desk.

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Rules.

#### STOCK-RAISING HOMESTEADS (S. DOC. NO. 663).

Mr. SMOOT. Mr. President, since the passage of the 640-acre grazing homestead law the Commissioner of the General Land Office has had prepared for the use of the Senate Committee on Public Lands certain general comments and explanations. There is such a demand upon all western Senators for these general comments that it has been deemed wise to have the statement printed as a public document. I ask that it be so printed.

The PRESIDENT pro tempore. Without objection, that action will be taken.

#### REPUBLIC OF CUBA V. STATE OF NORTH CAROLINA.

The PRESIDENT pro tempore. The Chair lays before the Senate Senate resolution No. 300, submitted by the Senator from North Carolina [Mr. OVERMAN], which comes over from a previous day.

Mr. OVERMAN. I ask that the resolution may go over without prejudice until to-morrow.

The PRESIDENT pro tempore. Without objection, that action will be taken.

#### HOUSE BILL REFERRED.

H. R. 15913. An act to authorize the Secretary of Agriculture to establish uniform standards of classification for cotton; to provide for the application, enforcement, and use of such standards in transactions in interstate and foreign commerce; to pre-



vent deception therein; and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

#### PEACE OVERTURE.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution of the Senator from Nebraska [Mr. HITCHCOCK] which was under consideration yesterday and postponed by unanimous consent until this morning.

The Senate resumed the consideration of the resolution (S. Res. 298) submitted by Mr. HITCHCOCK December 22, 1916, as follows:

*Resolved*, That the Senate approves and strongly indorses the action taken by the President in sending the diplomatic notes of December 18 to the nations now engaged in war suggesting and recommending that those nations state the terms upon which peace might be discussed.

Mr. LODGE. Mr. President, before continuing what I was saying yesterday when the hour of 2 o'clock arrived, I wish to make a correction in the translation which I gave of the statement of the German ambassador which appeared in the *Staats Zeitung* on Sunday, December 24. At the beginning of the second paragraph I translated the words, "Deutschland steht bereit ihm zu folgen." The word "ihm" can be rendered either him or it, and I have been told by the correspondent of the *Staats Zeitung*, who took the statement, that the word "ihm" was used there in the sense of referring to the light, which in the previous sentence it was said the words of President Wilson cast upon the darkness of Europe, and was in continuance of the pleasing parallel which was drawn between the President's note and the Star of Bethlehem. I do not think that it alters the essential meaning of the statement, but having been informed of this by the correspondent I wish to make it absolutely accurate. Certainly nothing would be further from my mind than to misrepresent even in the smallest way what was said.

Mr. President, when I yielded the floor yesterday at the hour of 2 o'clock I had been speaking of that clause in the President's note, which seems to me of very great importance, and which declares that the people of the United States "stand ready and even eager to cooperate in the accomplishment of these ends, when the war is over," and so forth, pledging us to a general cooperation with the powers of Europe and other powers in an arrangement for the maintenance of the peace of the world. I pointed out that this declaration might cover a great many questions. I read yesterday to the Senate an article from the *Louisville Courier Journal*, one of the great Democratic newspapers of the country, calling attention to this same point. I desire, without reading, to print an article in a similar sense from the *New York Sun*.

The PRESIDENT pro tempore. Without objection, that action will be taken.

The matter referred to is as follows:

#### PRESIDENT WILSON ATTEMPTS TO PLEDGE UNITED STATES TO REVERSAL OF TRADITIONAL FOREIGN POLICY.

NEW YORK, December 26.

The *New York Sun*, in a strong editorial, points out some of the serious implications of the recent "peace note" of President Wilson. The *Sun* says:

"Mr. Wilson may not be proposing peace; he may not be proposing mediation; he may not be interposing his hand or his head between the belligerents who are fighting this European war; he may not be suiting his acts to Germany's present desires—but the fact remains that he is not only proposing something which no President of the United States ever before proposed, but also pledging this Nation to something which no President of the United States has the right or the power to pledge. That something is the annihilation of the Monroe doctrine, which has governed the policy of the Republic for almost one century of the Republic's existence.

"Mr. Wilson speaks with feeling of the interests of the United States as a neutral power in relation to the war waged for European politics.

"There is no other interest of the United States of such transcendent importance as that which lies behind the traditional refusal of our Government to mix in the political affairs of the European nations and its traditional determination, so often and in so many forms declared, to permit no European interference with the destinies of the Republics of North, Central, and South America, no extension of European political influence in the Western Hemisphere.

"We are not discussing the merits of the Monroe doctrine or now examining its health to see if it is senile, moribund, fit for no further progress except a journey to the last resting place of obsolete and superseded national policies. We merely call attention to the outstanding fact that the proposal and pledge which occur in the course of President Wilson's eloquent expression of the natural hope of American civilization and humanity to see peace restored on a lasting basis would incidentally send the Monroe doctrine straight to the tomb. This is not to be dismissed as a matter of academic interest; its bearings on our international relations are those of a revolutionary change with practical consequences immeasurable. It means not only the utter abandonment of our attitude of aloofness from the complications of European politics, but also the absolute surrender of the position which we have maintained against all comers with regard to the American Republics south of our border. The participation of the United States in European guarantees inevitably means the entering of the European powers into the affairs of the Western Hemisphere wherein we have assumed and exercised an exclusive function. Specifically, it means European cooperation and tutelage in the affairs of Mexico, of Guatemala, of Honduras, of Nicaragua, of San Domingo, of Costa Rica, of

Panama, of Colombia, of Venezuela, and so on, down to the jumping-off place of Pan American policy at Cape Horn. There is no avoiding the fact that the United States can not abolish one-half of the Monroe doctrine and preserve intact the other half.

"Here is President Wilson's proposal and his pledge:

"In the measures to be taken to secure the future peace of the world the people and Government of the United States are as vitally and as directly interested as the Governments now at war. Their interests, moreover, in the means to be adopted to relieve the smaller and weaker peoples of the world of the peril of wrong and violence is as quick and ardent as that of any other people or Government. They stand ready, and even eager, to cooperate in the accomplishment of these ends, when the war is over, with every influence and resource at their command."

"In this passage, as the World justly remarks, 'the President pledges the cooperation of the United States in the enforcement of future guarantees of the peace of the world and the integrity of the small and weak nations of Europe. It can not be made too clear that whether this is or is not a desirable departure from past policy, it is a departure involving not only our participation in the control of the destinies of Belgium and Serbia and Roumania but also participation of Great Britain and Germany and Russia and France and Italy in the control of the destinies of Mexico, of the Central American States, of Venezuela; why not even of Cuba?"

"For—the Monroe doctrine thus blithely swept away in the exuberance of emotional rhetoric is beyond the power of President Wilson to annul. The Government of the United States, by the joint action of Executive and legislature, has officially declared the Monroe doctrine to be its policy. Our participation in the peace conferences at The Hague, and our assent to the conventions there framed, were distinctly qualified and limited by this declaration:

"Nothing contained in this convention shall be so construed as to require the United States of America to depart from its traditional policy of not entering upon, interfering with, or entangling itself in the political questions or internal administration of any foreign State, nor shall anything contained in the said convention be so construed as to require the relinquishment by the United States of America of its traditional attitude, toward purely American questions."

"As the American historian of the first peace conference at The Hague, himself one of the American delegates, well said: 'Not even in the supposed interest of universal peace would the American people have sanctioned for one moment an abandonment or the slightest infraction of a policy which appeals to them as being founded not only upon legitimate national desires and requirements but upon the highest interests of peace and progress throughout the world.' And the general conventions both of the first conference at The Hague in 1900 and of the second in 1907 were ratified by the Senate of the United States with this broad and significant reservation specifically recorded as part of the contract.

"President Wilson can, if he sees fit, propose the relinquishment of the Monroe doctrine as the traditional policy of the United States by negotiating with European countries new treaties affecting the entry of this Government into political entanglements of European concern and conversely admitting European powers into political engagements of purely American concern. The Senate of the United States can, if it chooses, validate such proposed treaties by the constitutional process of ratification.

"But until that has been done the Monroe doctrine stands as our declared policy in international relations, and there is no more power in the White House to extinguish it, or to pledge the people and the Government of the United States to the guaranty of European boundaries, than there is in this newspaper or in the executive offices of the Pennsylvania Railroad."

Mr. LODGE. Mr. President, I present these articles simply as showing what outside judges who have given attention to this point regard as involved in this committal by this note of the administration, and of the United States by implication, to the doctrine of general cooperation with the powers of Europe. I do not wish to enter into further details, which might be extended indefinitely, because I think it must be apparent to every one that when we abandon our traditional policy of separation from the politics and affairs of Europe we take a very momentous step, and one which should not be taken without the most thorough knowledge of what is intended and of the distance to which we are to be invited to go. An approval of the note in this general form carries approval, of course, and without limitation, of the principle of general cooperation with European powers in the affairs not only of Europe but of America.

Mr. President, I desire next to call attention to the note of the German Government in reply to the President's note. I have no official copy of this note and am obliged, of course, to take that which was published in the newspapers. What I shall quote I cut from the *New York Times*, and I have no doubt that it is absolutely correct. The note says:

[From the *New York Times*, Dec. 27, 1916.]

BERLIN, December 26.

The answer of Germany, Austria-Hungary, Bulgaria, and Turkey to President Wilson's peace note says:

"The high-minded suggestion made by the President of the United States of America to create a basis for the establishment of a lasting peace has been received and considered by the Imperial Government in the friendly spirit which was expressed in the President's communication. The President points out that which he has at heart and leaves open the choice of road.

"To the Imperial Government an immediate exchange of views seems to be the most appropriate road in order to reach the desired result. It begs, therefore, in the sense of the declaration made on December 12, which offered a hand for peace negotiations, to propose an immediate meeting of delegates of the belligerent States at a neutral place.

"The Imperial Government is also of the opinion that the great work of preventing future wars can be begun only after the end of the present struggle of the nations. It will, when this moment shall have come, be ready with pleasure to collaborate entirely with the United States in this exalted task."

The answer of the central powers concludes with the usual diplomatic terms of politeness. The text of the answer was transmitted to-day to James W. Gerard, the American ambassador.



There is nothing said in this note which corresponds to the statement of the ambassador about the "Star of Bethlehem" and the light cast by the President's word; but if we remove the very appropriate diplomatic civilities we find that on the three essential points of the President's note—which were a request for the naming of the terms, the proposal of neutral cooperation, and also a declaration as to future cooperation in a league for the preservation of the world's peace—the German note is very explicit, almost blunt. It says nothing whatever about terms; it passes that by in complete silence. It then says, according to this dispatch, that the delegates of the belligerent States should meet in a neutral place. That excludes neutrals from the conference. My own belief is that the people who are fighting the war should make the peace, and that seems to be the German view.

The German note then further says that the question of cooperation and association for the preservation of peace in the future must be relegated to the future and can not be dealt with until after the conclusion of the peace which shall bring this war to an end. I think on that point the Imperial Government takes the sensible ground which might have been anticipated.

As to the terms, we are told in this morning's newspapers that it is believed that the terms of the central powers came through Ambassador Cerard from Berlin. They also quote a statement attributed to Count Andrássy, former prime minister of Hungary, in a New Year's speech. He is quoted as saying:

As the entente alleges that our peace proposal was only a maneuver and was not made with any earnest desire to bring about peace, I am able to declare that President Wilson now knows our peace conditions and the entente can learn them from that source.

#### ANOTHER VERSION OF SPEECH.

The version of the Budapest dispatch received by the Reuter Telegram Co. via Amsterdam quotes Count Andrássy as saying that the peace conditions of the central powers will be communicated to President Wilson, the quotation being as follows:

"If the entente reject our peace offer only because they maintain that our offer is not honestly meant, but is merely a maneuver, and that they can not enter into negotiations before knowing our conditions, they can learn these from President Wilson, to whom they will be communicated."

Mr. President, how much truth there may be in that report I do not know. Although nothing is said about terms in the German note, it is very possible that they may have been communicated through some other channel to the President. It is the President's undoubted right in pursuing a negotiation of this or any other kind, to receive communications of that character and to exercise an absolute discretion in keeping them entirely secret; the Senate is not a part of the negotiating power, and we have no right to inquire about or to thrust ourselves into negotiations; but, Mr. President, when we are called upon to indorse and to approve an entire note which covers this question, then when we are invited to take action we should have the information on which to act.

The Senate, in my judgment, has no right—and I have thought so for a long time—to try to force itself into the conduct of a diplomatic negotiation, and when it asks for diplomatic papers its request is always accompanied with the statement that the papers be sent "if not incompatible with the public interest"; in other words, it is recognized that the whole conduct of the negotiation is in the President's hands. Now, if the President has in his possession the terms proposed by the central powers, it is entirely within his discretion to deal with them; but, if we are summoned to indorse in the dark everything that he is doing, then before action we are entitled to know the grounds of the action; in other words, when our cooperation is invited we are entitled to have the same information as that which the President has.

I wish in this connection, having read the German note and pointed out that it stated no terms; that it excludes by its words the presence of neutrals from the conference which is to make the peace, and that it puts over all propositions for the formation of a league or association for the preservation of peace to a period after the war is concluded, and the peace which brings the war to an end is made—

Mr. LEWIS. Mr. President, will the able Senator allow me to suggest that his voice does not reach to this side of the Chamber and that it is almost impossible to hear anything but an occasional word of the Senator. If it does not oppress him to speak a little louder, I myself would greatly appreciate it, and I know others would be very much edified.

Mr. LODGE. Mr. President, I will endeavor to speak more plainly. I was proceeding to say, Mr. President, that having read the German note addressed to this country, I will ask to print, without reading, the German reply to the Swiss note, which covers substantially the same ground and which repeats the note addressed to the President of the United States, confining the peace conference to the belligerents, putting over all

discussions of the peace of the world to a future time, and saying nothing about terms.

The PRESIDENT pro tempore. Without objection, the paper referred to will be printed in the RECORD.

The paper referred to is as follows:

#### GERMAN REPLY TO SWISS NOTE.

[Washington Post, Dec. 29, 1916.]

BERLIN, December 27.

The German reply to the Swiss note was handed to the Swiss minister to-day. It is on the same lines as the reply to President Wilson. The text of the answer of Germany to the Swiss note reads:

"The Imperial Government has taken note of the fact that the Swiss federal council, as the result of its having placed itself in communication with the President of the United States, is also ready to take action and side with the United States toward bringing about an understanding between the belligerent nations and toward the attainment of a lasting peace.

#### RENEWES COFFERANCE OFFER.

"The spirit of true humanity whereby the steps of the Swiss federal council are inspired is fully appreciated and esteemed by the Imperial Government.

"The Imperial Government has informed the President of the United States that a direct exchange of views seems to it to be the most suitable means of obtaining the desired result.

"Led by the same considerations which caused Germany on December 12 to offer her hand for peace negotiations, the Government has proposed an immediate meeting of all the belligerents at a neutral place.

#### AGREES WITH MR. WILSON.

"In agreement with the President of the United States, the Government is of the opinion that the great work of preventing future wars can only be taken in hand after the present world war has terminated. So soon as that moment comes they will joyfully be ready to cooperate in this sublime task.

"If Switzerland, which, faithful to its noble traditions, in mitigating the sufferings caused by the present war has won unending gratitude, will also contribute to safeguarding the world's peace, the German Nation and Government will highly welcome such action."

Mr. LODGE. I ought also to call attention, I think, to the fact that some of the neutral powers addressed replies to us in regard to the President's note. I regret that we have not official copies of those notes and that I am compelled to use what I cut from the newspapers, but that is the only method which we have of getting them. There was a note from Greece, which was in sympathy with the note of the President, and which I ask to have printed in the RECORD, without reading, together with a message from the King of Sweden and a portion of the Swedish note. I believe there was a note of similar sympathy received from Norway, which I have not got.

The PRESIDENT pro tempore. Without objection, permission to print the matter referred to is granted.

The papers referred to are as follows:

#### GREEK NOTE.

ATHENS, December 30.

King Constantine summoned Garrett Droppers, the American minister, to the palace this morning and communicated to him the text of the Greek reply to President Wilson's peace note. In the reply the King asserts himself with the President in willingness to do all in his power to promote peace. The note recites the sufferings of Greece at the hands of the belligerents on both sides while the nation has been endeavoring to maintain neutrality. It adds that Greece has endured greater hardships from the war than any other neutral, and desires the consummation of peace.

The text of the King's message follows:

"I wish to express, Mr. President, feelings of sincere admiration and lively sympathy for the generous initiative you have just taken with the view to ascertaining whether the moment is not propitious for a negotiable end of the bloody struggle raging on earth.

#### SEES HUMANITARIAN EFFORT.

"Coming from the wise statesman who, in a period so critical for humanity, is placed at the head of the great American Republic, this humanitarian effort, dictated by a spirit of high political sagacity and looking to an honorable peace for all, can not but contribute greatly toward hastening reestablishment of normal life and assuring through a stable state of international relations the evolution of humanity toward that progress wherein the United States of America always so largely shares."

Then follows a recital of the trials Greece has suffered from the war, which, on account of the censorship, it is useless to attempt to cable. The King's message ends as follows:

#### GREECE LONGS FOR PEACE.

"Such are the conditions in which your proposals find my country. This short and necessarily incomplete recital is not made with the purpose of criticism of the cruel blows at her sovereignty and neutrality from which Greece has been forced to suffer the effects. I have merely wished to show you, Mr. President, how much the soul of Greece at this moment longs for peace and how much it appreciates your proposals, which constitute so important a step in the course of the bloody world tragedy of which we are witnesses.

"(Signed) CONSTANTINE."

The Greek Government also will make a formal reply, which will associate Greece with the proposals of President Wilson.

MESSAGE FROM THE KING OF SWEDEN AND PORTION OF SWEDISH NOTE (JAN. 1).

The only one with a reference to peace received last night was from the King of Sweden. It follows:

"I beg you to accept my best wishes for the new year. I am happy to join your noble peace action."

This message went further than that of the Swedish Government received last week. The note from the Government expressed "deepest sympathy" with all efforts to end the war, but refrained from offering cooperation.



If President Wilson has formed any opinion on the entente note, it has not been disclosed.

Mr. LODGE. Also there was a note from Spain, which did not agree with the views of the President's note and refused to take present action. I should like to have that printed, too, as showing part of the case.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The note referred to is as follows:

SPANISH NOTE (DEC. 31).

UNITED STATES ASKS NEUTRALS TO AID—SPAIN REFUSES TO ACT NOW.  
MADRID, December 30.

The Spanish Government has sent a note in reply to President Wilson with reference to peace as follows:

"The Spanish Government has received from the ambassador of the United States the note sent by the President to the belligerent nations and another communication in which it is said that the moment is opportune for action by the Government of His Majesty in support of the attitude taken by the Government of the United States.

"The Spanish Government, in answer to the initiative of the President of the United States, knowing the various impressions produced, believes that the action in which Spain is invited to participate will be efficacious, especially as the central empires have expressed their intention that the peace conditions shall be accorded exclusively among the belligerents.

"Nevertheless, the Spanish Government, having in consideration the noble desires of the American Government, which are worthy of all peoples, is disposed to associate itself with every negotiation which has for its object the facilitating of the humanitarian work of ending the present war.

"Spain, however, will suspend all action until the time when her efforts and work in favor of peace can be more useful and efficacious than at the present time.

"Until then the Spanish Government believes that it would be opportune to declare with regard to an entente of the neutral powers for the defense of their interests; that it is disposed now, as it was at the beginning of the war, to commence negotiations which might lead to an accord capable of uniting the belligerent powers."

Mr. LODGE. Mr. President, I do not wish to have it supposed that my interpretation or analysis of the German note is confined to me or is an unreasonable interpretation to put upon it. I wish to read in this connection, as showing what others think of that note, an article from the New York World of December 27, 1916. Everybody knows that the President has no more faithful supporter than that great newspaper, and therefore it gives me a particular reason for desiring to read this article to the Senate. It is entitled "Germany evades the issue":

[From the New York World, Dec. 27, 1916.]

Germany's answer to President Wilson's note completely evades the issue.

The President requested from each of the belligerents a definite statement of the objects of the war and the terms upon which it would consider peace. Germany replies by proposing an immediate conference "of delegates of the belligerent States at a neutral place," knowing that this proposal had already been emphatically rejected by the entente Governments.

The President did not ask for a peace conference. He recognized the fact that a conference at this time was impossible, but expressed the hope that "an interchange of views would clear the way at least for conference." Germany refuses all interchange of views, and returns to the text of the note of December 12, which contained the proposal of the Teutonic powers "to enter forthwith into peace negotiations."

The British Government, through its prime minister, has already made its response to that suggestion. Mr. Lloyd George in his speech to the House of Commons declared emphatically that—

"To enter, on the invitation of Germany, proclaiming herself victorious, without any knowledge of the proposals she intends to make, into a conference, is putting our heads into a noose with the rope end in the hands of the Germans."

Yet in reply to the President's request for terms the German Government goes no further than to renew a proposal which it knows has been rejected. In renewing this proposal it formally excludes all neutral Governments from such a conference and inferentially asserts that they are not concerned with the kind of peace that the belligerents may choose to make.

President Wilson in his note of December 18 spoke as "the representative of a neutral Nation whose interests have been most seriously affected by the war and whose concern for its early conclusion arises out of a manifest necessity to determine how to safeguard those interests if the war is to continue." Germany's reply makes certain a continuance of the war. The United States most assuredly will not ask Great Britain and France to enter a peace conference beaten and blindfolded, to learn in the dark what terms of peace a Germany "conscious of victory" is prepared to impose. Nor can it ask friendly Governments to give serious consideration to a proposal which they have already formally rejected but which is renewed in the disguise of an answer to President Wilson's request for terms.

In the light of Germany's reply to the President, it is impossible to believe that there was either honesty or sincerity of purpose back of the original peace proposal. It is plain enough now that the President's action stripped off the German mask and that the whole proceeding was a game invented in Berlin for the propitiation of neutrals and for the further bedevilment of German public opinion.

Had Germany's peace overtures been made in good faith the Imperial Government would have met the President half way with a statement of terms that the allies could not have rejected out of hand, but to which they would have been compelled to give consideration. That would have opened the door to further negotiation and eventually to conference. Instead the German foreign office has abruptly closed the door and left no basis for further discussion.

So far as the United States is concerned, the hands of the clock have been turned back to December 18, and the Government at Washington is again confronted with "a manifest necessity to determine how to safeguard those interests if the war is to continue."

Mr. President, I think that article justifies me in saying that I have not construed or interpreted the German note uncharitably. To me it seems clear from the German note that no advance has been made on the points which the President brought forward. Yet we are asked, in the presence of that reply from Germany—and we do not know whether her terms may be in the hands of the President or not—to give a blanket indorsement, wholly blindly, to this entire negotiation. I am not contending in any way against the President's right to carry on the negotiations; I am not impugning his motives or his purposes; but I am resisting, and I mean to resist, the attempt to bring the Senate and the Congress of the United States into a blind approval of a negotiation of which we know nothing except what we see in the newspapers. If we are to indorse and approve any negotiation, then we are entitled to know all the facts in regard to it. We have not been given the facts, and yet we are asked to pass this general resolution in the presence of this reply from the one side of the belligerents which has answered. What the other side will say—the allies of the entente, as they are called—in reply to the President's note is not known. That reply has not yet arrived. I ventured to suggest the other day, when I asked to have this resolution go over, that it would perhaps be well to know what views the other belligerents took of the note, and what their position was going to be in regard to it; but it was thought best by the majority in control of the Senate that we should dispose of this matter at once.

As I have said, we have not received the reply of the allies to our note; but the reply of the allies to the German note is before the world. Although I assume that every Senator has read it, I should like to call their attention to the terms of that reply and ask them to consider whether, in view of what the allies said in answer to the German note, it is an apt and appropriate time for the Senate and the Congress of the United States to precipitate themselves into negotiations of which they know nothing.

The allies say:

The allied Governments of Belgium, France, Great Britain, Italy, Japan, Montenegro, Portugal, Roumania, Russia, and Serbia, united for the defense of the liberty of their peoples and faithful to engagements taken not to lay down their arms separately, have resolved to reply collectively to the pretended propositions of peace which were addressed to them on behalf of the enemy Governments through the intermediary of the United States, Spain, Switzerland, and Holland. Before making any reply the allied powers desire particularly to protest against the two essential assertions of the note of the enemy powers that pretend to throw upon the allies responsibility for the war and proclaim the victory of the central powers.

The allied Governments can not admit an affirmation doubly inexact and which suffices to render sterile all tentative negotiation. The allied nations have sustained for 30 months a war they did everything to avoid. They have shown by their acts their attachment to peace. That attachment is as strong to-day as it was in 1914. But it is not upon the word of Germany, after the violation of its engagements, that the peace broken by her may be based.

A mere suggestion, without a statement of terms, that negotiations should be opened, is not an offer of peace. The putting forward by the Imperial Government of a sham proposal lacking all substance and precision would appear to be less an offer of peace than a war maneuver. It is founded on calculated misinterpretation of the character of the struggle in the past, the present, and the future.

As for the past, the German note takes no account of the facts, dates, and figures which establish that the war was desired, provoked, and declared by Germany and Austria-Hungary.

At the Hague conference it was a German delegate who refused all proposals for disarmament. In July, 1914, it was Austria-Hungary who, after having addressed to Serbia an unprecedented ultimatum, declared war upon her in spite of the satisfaction which had at once been accorded.

The central empires then rejected all attempts made by the entente to bring about a pacific solution of a purely local conflict. Great Britain suggested a conference, France proposed an international commission, the Emperor of Russia asked the German Emperor to go to arbitration, and Russia and Austria-Hungary came to an understanding on the eve of the conflict. But to all these efforts Germany gave neither answer nor effect.

Belgium was invaded by an empire which had guaranteed her neutrality and which had the assurance to proclaim that treaties were "scraps of paper" and that "necessity knows no law."

At the present moment these sham offers on the part of Germany rest on the "war map" of Europe alone, which represents nothing more than a superficial and passing phase of the situation and not the real strength of the belligerents. A peace concluded upon these terms would be only to the advantage of the aggressors, who, after imagining that they would reach their goal in two months, discovered after two years that they could never attain it.

As for the future, the disasters caused by the German declaration of war and the innumerable outrages committed by Germany and her allies against both belligerents and neutrals, demand penalties, reparation, and guarantees. Germany avoids mention of any of these.

In reality, these overtures made by the central powers are nothing more than a calculated attempt to influence the future course of war and to end it by imposing a German peace. The object of these overtures is to create discussion in public opinion in the allied countries. But that public opinion has, in spite of all the sacrifices endured by the allies, already given its answer with admirable firmness and has denounced the empty pretense of the declaration of the enemy powers.

They have the further object of stiffening public opinion in Germany and in the countries allied to her, one and all severely tried by their losses, worn out by economic pressure, and crushed by the supreme effort which has been imposed upon their inhabitants.



They endeavor to deceive and intimidate public opinion in neutral countries, whose inhabitants have long since made up their minds where the initial responsibilities lie and are far too enlightened to favor the designs of Germany by abandoning the defense of human freedom.

Finally, these overtures attempt to justify in advance in the eyes of the world a new series of crimes—submarine warfare, deportations, forced labor, and forced enlistment of the inhabitants against their own countries and violations of neutrality.

Fully conscious of the gravity of this moment, but equally conscious of its requirements, the allied Governments, closely united to one another and in perfect sympathy with their peoples, refuse to consider a proposal which is empty and insincere.

Once again the allies declare that no peace is possible so long as they have not secured reparation for violated rights and liberties, the recognition of the principle of nationalities, and of the free existence of small States; so long as they have not brought about a settlement calculated to end once and for all forces which have constituted a perpetual menace to the nations and to afford the only effective guaranty for the future security of the world.

In conclusion, the allied powers think it necessary to put forward the following considerations, which show the special situation of Belgium after two and a half years of war.

Then comes the statement in regard to Belgium, which I will not read, but which I will ask to have printed with the rest of my remarks.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The matter referred to is as follows:

In virtue of the international treaties signed by five great European powers, of whom Germany was one, Belgium enjoyed before the war a special status, rendering her territory inviolable and placing her under the guaranty of the powers, outside all European conflicts.

She was, however, in spite of these treaties, the first to suffer the aggression of Germany. For this reason the Belgian Government thinks it necessary to define the aims which Belgium has never ceased to pursue while fighting side by side with the entente powers for right and justice.

Belgium has always scrupulously fulfilled the duties which her neutrality imposed upon her. She has taken up arms to defend her independence and her neutrality violated by Germany, and to show that she remains faithful to her international obligations.

#### GERMANY PLEDGED REPARATION.

On the 4th of August, 1914, in the Reichstag, the German chancellor admitted that this aggression constituted an injustice contrary to the laws of nations and pledged himself in the name of Germany to repair it. During two and a half years this injustice has been cruelly aggravated by the proceedings of the occupying forces, which have exhausted the resources of the country, ruined its industries, devastated its towns and villages, and have been responsible for innumerable massacres, executions, and imprisonments.

At this very moment, while Germany is proclaiming peace and humanity to the world, she is deporting Belgian citizens by thousands and reducing them to slavery.

Belgium before the war asked for nothing but to live in harmony with her neighbors. Her King and her Government have but one aim—the reestablishment of peace and justice. But they only desire peace which would assure to their country legitimate reparation, guaranties, and safeguards for the future.

Mr. LODGE. Mr. President, I have read this note because it is the only thing we have had which shows the position of the allies. Certainly from that note it is plain that they do not accept the German peace proposition. To venture into negotiations which neither party has asked us to begin, and to force our good offices of which neither party has indicated an acceptance, upon the belligerents, seems to me, in the presence of statements like that which I have just read, unwise.

The President, better informed than the rest of us, may have good grounds for it. I am speaking only in regard to the action of the Senate and the Congress of the United States. There is nothing in the German note nor in the allies' reply to the German note, as it seems to me, to justify the Senate and the Congress in embarking on the perilous field of negotiations between European powers, and in regard to terms which concern those powers alone.

It is well to remember, Mr. President, that it is not a desirable thing needlessly to create unfriendliness or ill feeling in the minds of the powers involved in war on either side. The United States, if her true policy is followed, will seek to maintain good terms with all. We do not surely desire to find ourselves at the end of the war, when peace comes, without a friend in the world among the other nations, and with the fact glaring them in the eyes that we have made uncounted millions out of a war which has cost them millions of lives and destroyed untold millions of property, and that we are wholly unprepared and quite defenseless. I think we should move with extreme caution before we enter, as the legislative body of the United States, upon this perilous field.

We have not had the assent of the belligerents to what we are undertaking. We have demanded, without our mediation or good offices having been accepted, that the belligerents should state their terms, which concern them alone and not us; and we have undertaken to lay out a policy for the future, after peace is concluded, which the Central Powers at least have said must go over. This resolution involves us in all these difficult and dangerous questions; and, so far as we are concerned as a nation, we are asked to give our indorsement to a plan which involves the abandonment of the policy that the country has

pursued ever since the formation of the Constitution, after a few hasty debates in the Senate—a policy in which not only the Monroe doctrine is involved but many other questions of great domestic importance.

My objection to this resolution, Mr. President, is that there is no occasion whatever for it. The President is intrusted with the care of our foreign relations. Negotiations are in his hands. He is conducting them. When he needs our cooperation and assistance, he should lay before us all the facts which have guided him. But until that time comes, the Congress of the United States ought not to project itself into the field of negotiations, and thrust itself forward into the dangerous field of European politics. When we come to the further question of cooperation with other nations to take this leap in the dark, after a brief debate during the morning hour, without having the facts, without knowing what we are asked to do, seems to me the height of unwisdom on the part of the Senate or of the House of Representatives.

Mr. LEWIS addressed the Senate. After having spoken for some time,

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate—

Mr. LEWIS. May I venture the suggestion, lest I should violate the rule, not intentionally, that in the morning hour to-morrow I be permitted to be recognized as having my right to the floor the same as the able Senator from Massachusetts was this morning?

The PRESIDENT pro tempore. The Chair will note the fact that the Senator will desire recognition.

Mr. HITCHCOCK. I desire to make a motion.

The PRESIDENT pro tempore. The unfinished business will be announced.

The SECRETARY. A bill (S. 392) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of Senate resolution 298.

Mr. TOWNSEND. Mr. President, may I suggest to the Senator to do as he did yesterday, to ask that the resolution may go over until to-morrow morning, and then be taken up in the morning hour, without prejudice, the same as it was this morning?

Mr. NEWLANDS. Mr. President—

Mr. HITCHCOCK. I would be very glad to agree to that, but it has become evident that in order to pass the resolution at a time when it will be of any value at all it must come before the Senate as its business. If a unanimous consent agreement could be reached to vote upon it before 2 o'clock to-morrow I would not object, but that would require the calling of a quorum. I should like to have it considered for a short time at least as the business of the Senate this afternoon.

Mr. STONE. Would not the Senator consent, if we could have an agreement to vote on it at 5 o'clock to-morrow?

Mr. HITCHCOCK. That would also be acceptable. While I desire to hold my right in making the motion at this time for the purpose of bringing it before the Senate, I will accept the suggestion of the Senator from Missouri and make the request that the resolution be taken up during the morning hour to-morrow and continued before the Senate, and that it be finally voted on at not later than 5 o'clock.

Mr. BRANDEGEE. Mr. President—

The PRESIDENT pro tempore. The Chair understands that the Senator makes a request for unanimous consent.

Mr. HITCHCOCK. I do.

Mr. BRANDEGEE. In order to save the time which calling the roll would necessitate, I give notice that I will object.

Mr. HITCHCOCK. Then, I make my motion that the Senate now proceed to the consideration of Senate resolution 298, and I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Cummins	Kenyon	Oliver
Bankhead	Curtis	Lane	Overman
Beckham	Dillingham	Lee, Md.	Page
Borah	Fletcher	Lewis	Penrose
Brady	Gallinger	Lippitt	Phelan
Brandeggee	Gronna	Lodge	Pittman
Bryan	Hardwick	McCumber	Poindexter
Chamberlain	Hitchcock	McLean	Ransdell
Chilton	Holls	Martine, N. J.	Robinson
Clapp	Hughes	Nelson	Saulsbury
Clark	Johnson, S. Dak.	Newlands	Shafroth
Culberson	Jones	Norris	Sheppard



Simmons  
Smith, Ariz.  
Smith, Ga.  
Smith, Md.

Smith, S. C.  
Smoot  
Stone  
Thomas

Thompson  
Tillman  
Townsend  
Underwood

Walsh  
Watson  
Weeks  
Works

Mr. MARTINE of New Jersey. I rise to announce the absence of the Senator from Oklahoma [Mr. GORE] owing to illness and to state that the Senator from Mississippi [Mr. VARDAMAN] is absent on official business.

The PRESIDENT pro tempore. Sixty-four Senators have answered to their names. A quorum is present.

Mr. STONE. The motion of the Senator from Nebraska is, I understand, that the Senate proceed to the consideration of the resolution which was being debated at the hour of 2 o'clock and before. A motion to proceed to the consideration of a measure is not debatable, I think.

The PRESIDENT pro tempore. It is debatable after 2 o'clock, the Chair may say.

Mr. STONE. It is debatable now?

The PRESIDENT pro tempore. Yes; after 2 o'clock.

Mr. STONE. I do not care to debate it, except to say that whatever Senators may think with respect to this resolution or as to the wisdom of its introduction and consideration, the fact is that the resolution is before the Senate. It has taken a course here in debate that has given to it a significance and importance which did not attach to it when it was introduced; but now it is discussed in all the newspapers of the country, and the fact that it is pending here is cabled to newspapers abroad everywhere. So it seems to me in the circumstances, because of the world-wide interest now in this resolution, it should be considered by the Senate and disposed of.

Mr. GALLINGER. Mr. President, on two occasions this resolution under our rules would have gone to the calendar, but the Senate, in its good nature and courtesy, permitted it to be passed over day by day, retaining its place. Under those circumstances it seems to me to be a matter of impropriety, to say the least, for the proponents of the resolution to now undertake to force it through the Senate to-day. There are Senators on this side of the Chamber who desire to discuss the resolution. I had thought myself that I might say a few words in reference to it, as I have felt a deep interest in the matter and still feel a deep interest in it; but there are other Senators who have views on this question and who feel that they are entitled to be heard.

For that reason, Mr. President, I trust that the effort to force the resolution to a vote to-day will be abandoned by its friends. I do not believe that it will succeed if it is attempted. As I have already suggested, those of us who are opposed to the resolution have shown a disposition not to enforce the rules against it, but to permit every possible courtesy and consideration to be accorded to it. We now feel that to attempt to force the resolution to a vote to-day would not be the kind of reciprocity that we are entitled to. I hope the motion will not prevail.

Mr. THOMAS. Mr. President, it was my intention during the pendency of this resolution to address the Senate for a short time upon it. Personally, I would be willing that the motion of the Senator from Nebraska should prevail were it not for the fact that the senior Senator from California [Mr. WORKS] some time ago, in accordance with the custom of the Senate, gave notice that at the conclusion of the morning business he would address the Senate on a very important topic. It is a courtesy which the Senate has always extended, so far as I know, to those of its Members who have given such a notice, and the honored custom would certainly require that due consideration should be given to the Senator from California now.

Hence, in order that the resolution may not lose its place, and in view of the further fact that the Senator from Georgia [Mr. HARDWICK] had also given notice of an intention to address the Senate at the same time and with his usual courtesy has given way to the Senator from California temporarily, I think it is no more than right that the resolution should go over to be considered to-morrow in the morning hour.

Mr. HITCHCOCK. Mr. President, the Senator from New Hampshire [Mr. GALLINGER] is in error in stating that I have instituted a movement to force this resolution to a vote to-day. I only ask that the consideration of it may proceed to-day. I made an offer a few minutes ago to consent that it should go over until to-morrow if I could secure unanimous consent to vote upon it by 5 o'clock to-morrow afternoon, which is a clear indication that I have not any desire to force it to a vote to-day.

I was not aware that the Senator from California and the Senator from Georgia had given the notices referred to, but those addresses which they expect to make must necessarily be made during the pendency of some regular business.

Mr. HARDWICK. I wish to suggest to the Senator, if he will yield to me, while I think that is true with reference to both the notices, so far as the notice I gave is concerned I have about abandoned my intention to address the Senate except in connection with legislation which will be before the Senate soon on the subject matter.

If the Senator will pardon me, while I am on my feet I will say that I quite agree with the Senator from Colorado. Of course we ought to give the Senator from California who wants to speak to-day full opportunity to do so, but he can speak just as well while the pending proposition is the motion of the Senator from Nebraska as on anything else, and I think that should be done.

Mr. HITCHCOCK. I thank the Senator.

Mr. WORKS. Mr. President, I appreciate the courtesy of the Senator from Colorado [Mr. THOMAS] in calling attention to the fact that I had given notice that I would address the Senate to-day. I have no disposition to delay action on the resolution of the Senator from Nebraska. One branch of the subject that I am expecting to discuss is connected with the very resolution now before the Senate, and I think it is a very important branch of it, namely, the functions of the different departments of the Government. So I can just as well make my address, if that is satisfactory to the Senator from Nebraska, after his resolution is taken up as at any other time. I have no disposition to prevent that course being taken, though I am prepared to go on now and would be very glad if I could be allowed that courtesy at this time.

Mr. HITCHCOCK. I thank the Senator from California and the Senator from Georgia very much. I only desire to say in conclusion that the essence of time is important in this case. If this resolution is to be passed to be of any significance at all, it ought to be passed within a reasonable length of time. All I am asking is that it be placed before the Senate for consideration.

Mr. NEWLANDS. Mr. President, I desire to say that I feel it my duty to press before long for a continuance of the executive session, which is now engaged in the consideration of an important nomination. I do not wish at all to interfere with the Senator from California, who has given notice of his desire to address the Senate, but I shall deem it my duty to press an executive session as soon as possible.

Mr. NORRIS. Mr. President, as I understand the Senator from Nevada, he does not intend to make a motion to go into executive session if the motion of the Senator from Nebraska now pending prevails.

Mr. NEWLANDS. Not at present.

Mr. NORRIS. If, however, that motion is defeated and we take up the unfinished business, which has been pending before the Senate for some time, and has been really before the Senate for four years, I presume he will interpose his motion to go into executive session. That all reminds me that there seems to be a disposition to go into executive session and to take up other business whenever it can interfere with the consideration of the bill which the Senator from Michigan [Mr. TOWNSEND] has in charge that has been the unfinished business so long and that has already on one occasion passed the Senate.

Mr. NEWLANDS. I wish to say, Mr. President—

Mr. NORRIS. If the Senator will just wait a moment, I will be glad to yield to him when I have finished this sentence. It all indicates to me that whenever business can be taken up that will displace or postpone the consideration of the retirement bill it is done. The Senator from Nevada is willing to let the business that he deems so important and that has been crowded on the Senate displace the unfinished business; he is willing to let it go over if you can get something else up that will interfere with the pending bill. It has been before the Senate and before the country for years. The bill is not much longer than one's finger, and it ought to be disposed of. If it should be defeated, that would end it, but we ought to have a vote on it.

It does seem to me in voting on the motion to take up the resolution, we ought to take those facts into consideration. The relative importance of the resolution approving the President's action in sending notes may be of such a nature that it ought to be disposed of soon. I do not think there is any disposition to unreasonably postpone action on it, but I believe if we want to be fair we ought to dispose of the measure the Senator from Michigan has in charge and get rid of it one way or the other. I yield to the Senator from Nevada.

Mr. NEWLANDS. Mr. President, I wish to state to the Senator from Nebraska that I have no disposition whatever to interfere with or to obstruct the bill which is being urged by the Senator from Michigan. On the contrary, I strongly favor that bill myself and have regretted exceedingly that anything I



have done during the course of its proceeding has delayed it. I wish to say with reference to the executive session that we all know that the Interstate Commerce Commission is an over-worked commission; that it has an enormous work on hand—

Mr. NORRIS. I did not yield to the Senator to make a speech. If he has a question to propound, I will be glad to answer it; otherwise I decline to yield.

The PRESIDENT pro tempore. The Senator from Nebraska declines to yield further.

Mr. NORRIS. Mr. President, I am not finding fault with anybody who opposes the bill of the Senator from Michigan. I concede that there are two sides to it. I am not complaining because some one objects to it and desires to vote against it. That is true of nearly all legislation. But it is a remarkable fact that a great many of those who have opposed it say, like the Senator from Nevada, that they are in favor of it, and yet they vote for motions to displace it and to put it off from time to time. The Senator from Nevada has been interposing a motion to go into executive session now for a great many days, both before and since the adjournment for the holiday recess. He may be in favor of the measure and will probably vote for it if it ever reaches a final stage, but like other Senators his vote delays a consideration of it and postpones it so that we may never reach a vote, or when we reach a vote it will be at a time of this session when it is well known by everybody that it can not be taken up and considered in the other House.

Mr. NEWLANDS. Mr. President, the Senator declined to permit me to continue with my explanation. I was about to state that the Interstate Commerce Commission is an over-worked commission. There is a vast accumulation of work there which it is very difficult to dispose of. To-day it is without one of its commissioners. The term of office of Mr. Daniels expired some days ago. It is for that reason that I am urging action upon the confirmation of his appointment.

The Senator from California [Mr. WORKS] gave notice of his desire to speak to-day. That has been a long-standing notice, and I am sure I have no disposition to interfere with him; I would be glad to have him proceed; but, later on, at as early an hour as possible, I must insist upon a motion to go into executive session.

Mr. TOWNSEND. Mr. President, I can add little to what the Senator from Nebraska [Mr. NORRIS] has said in reference to this matter. I, too, have been impressed with the fact that Senators who have professed friendship for the Volunteer officers' bill have been those who have defeated its consideration up to date. On every occasion when I have had it before the Senate there has been some one with a proposition to present as being more urgent, and enough Senators have always been induced to vote for it to displace the Volunteer officers' bill. I do not wish to question their sincerity, but I am simply stating the fact as the RECORD will disclose.

This bill was made the unfinished business, and if it could have been held before the Senate as it could have been held if its friends had been willing, it would have been disposed of long before this.

Senators may say that there is great opposition to it. So is there opposition to every one of the propositions which have displaced it. If we could proceed with this bill as we could do if the alleged friends were willing to do so, we would have it out of the way; we could get a vote on it; and all I have asked is to let us see whether a majority of the Senate want the bill to pass or not.

Now, what do we have before us? When this bill was made the unfinished business the Senator from Nevada, who says he is a friend of the measure, presented his proposition to go into executive session to confirm a member of the Interstate Commerce Commission. It was known that there could be no vote upon confirmation for some time. It was known that we were considering this bill and were approaching what seemed to be a determination of it when it was displaced. Every time a motion was made to go into executive session there were enough friends of the Volunteer officers' bill who voted for the motion to carry it by a small majority.

Now comes the proposition to consider this resolution. I have been very willing to have the resolution considered during the morning hour. We have consented unanimously that it should be the continuing business during every morning. In the very nature of things a vote must be had under that process if it continues, perhaps as soon as it could be had, if we should take the course now proposed by the Senator from Nebraska [Mr. HITCHCOCK].

Now, of course, if the unfinished business is to be retained we must vote down the proposition to take up this resolution, and must vote down the proposition to go into executive session and consider this bill and keep it before the Senate until it is

disposed of. I do not think that is an unfair proposition. The bill was brought up when these questions were not pending and very few Senators have thus far prevented its consideration. I do not say that they have done so improperly. I occupied some time myself in discussing the bill. I want other Senators to occupy time, but they are ready to go on; they are ready to discuss it, and we could get a vote upon it in a short time if the Senate would do us the courtesy, if the friends of the bill would do us the courtesy, of allowing us to hold it as the unfinished business.

What is going to happen if the motion of the Senator from Nebraska prevails? If the Senator's motion prevails and the resolution is carried over until adjournment to-day, which it will be, it becomes the unfinished business to-morrow and the Volunteer officers' bill is displaced. The friends of the bill know some of the difficulties which I have met in getting recognition to call up the bill. I have failed time and time again. I have been twice on my feet and addressed the Chair—not the present occupant of the chair—when there was no other Senator on the floor, and yet I could not secure recognition. It is now before the Senate as the unfinished business, and I ask that it be held there at least until a reasonable opportunity be given to see whether we can get a vote upon it or not.

Mr. NEWLANDS. Let me ask the Senator from Michigan whether he has asked unanimous consent for a time to vote upon the bill?

Mr. TOWNSEND. I have repeatedly, and I should like to ask it again now. I should like to get consent to vote upon it some day next week.

Mr. NEWLANDS. Mr. President, it seems to me it ought to be granted.

Mr. TOWNSEND. Well, it does seem so to me. If the Senator believes that that can be done, I will ask unanimous consent—

Mr. NEWLANDS. I believe, with the Senator, that there are enough votes here to pass the bill, and it ought to be passed.

Mr. TOWNSEND. I think I know that very well. That is the remarkable thing, I will say to the Senator from Nevada, that for years we have had votes enough to pass this bill, but we could not bring it to a vote, not alone because it was talked to death—for it was not—but because even friends of the bill would vote to bring in some other measure and thereby take enough votes from the friends of the Volunteer officers' bill to defeat its consideration to final completion.

Mr. BRANDEGEE (to Mr. TOWNSEND). Ask unanimous consent now.

Mr. TOWNSEND. Well, Mr. President, if it is in order, I will ask unanimous consent now—

The PRESIDENT pro tempore. The question is on the motion of the Senator from Nebraska [Mr. HITCHCOCK] to take up Senate resolution 298.

SEVERAL SENATORS. Vote!

Mr. LANE. Am I in order to make a few remarks on the resolution at this time?

The PRESIDENT pro tempore. The Senator from California [Mr. WORKS] has been recognized.

Mr. LANE. Well, could I get a moment's time from the Senator from California?

Mr. WORKS. Mr. President, it is perfectly evident to my mind that the time of the Senate this afternoon is going to be taken up with the debate which is now on. It is probably just as good a time now as any other for me to say what I desire to say under the notice that I have given to the Senate. The Senator from Illinois [Mr. LEWIS] has had the floor in the discussion of the resolution which has been pending, but, as I understand, he reserved the right to conclude what he had to say to-morrow morning. Therefore, as there is a debatable question now before the Senate, I shall proceed to discuss the question as I have desired.

Mr. LEWIS. Mr. President, let me make clear this: If the vote of the Senate shall be that the resolution shall remain the subject of the discussion, then I shall conclude what I have to say, I hope, in a few words; but if it shall not be and the resolution shall remain morning business, the Senator from California is correct, and I shall ask to be recognized only in the morning hour, as I would not assume, under the general order of business, to continue this discussion and to take advantage of other Senators.

Mr. WORKS. Mr. President, I have listened with a great deal of interest to the discussion upon the resolution of the Senator from Nebraska [Mr. HITCHCOCK], but with a profound sense of regret that the resolution should have been debated in the Senate of the United States at all. The offer of our good offices to the belligerent nations is purely an executive function



I have in this body criticized more than once the encroachment of the executive department upon the legislative functions of Congress, and I think it is just as much out of place for the Congress of the United States to attempt to interfere with or encroach upon the rights and obligations of the President of the United States in the performance of his duty. It is mainly for that reason, Mr. President, that I have felt that the Congress of the United States ought not to take any action at all upon the resolution. If the President is right in the step he has taken, he needs no indorsement by the Congress of the United States. If, on the other hand, he is wrong, then he should not receive such indorsement. I expect in what I am about to say to discuss the question at some little length of the duties and obligations of the different departments of the Government and the attempts by one to encroach upon the other.

Mr. WORKS thereupon addressed the Senate, pursuant to the notice heretofore given. After having spoken for some time, he said:

Mr. President, for physical reasons I shall not be able to conclude to-night what I was going to say. It is suggested by the Senator from Nebraska [Mr. HITCHCOCK] that a recess might be taken until to-morrow.

Mr. STONE. Mr. President, will the Senator kindly indicate about what time it will require for him to complete his remarks?

Mr. WORKS. I think it will be less than an hour. I have consumed more than half the time that I shall need.

Mr. STONE. If the Senator desires the matter to go over with that statement, I am sure I have no objection.

Mr. WORKS. I shall be very glad if that can be done.

RECESS.

Mr. HITCHCOCK. Mr. President, in view of the Senator's statement, I move that the Senate take a recess until 12 o'clock to-morrow.

Mr. GALLINGER. What is the motion?

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). The motion is for a recess until 12 o'clock to-morrow.

Mr. GALLINGER. That is agreeable to me.

The motion was agreed to; and (at 4 o'clock and 30 minutes p. m.) the Senate took a recess until to-morrow, Friday, January 5, 1917, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

THURSDAY, January 4, 1917.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

With true devotion in our hearts, Eternal God our Heavenly Father, we would prostrate ourselves before Thee and worship Thee in spirit and in truth; that we may be strengthened, exalted, purified, and thus fitted for the duties which wait upon us, and reap the fruits of righteousness as servants of the Living God, after the manner of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

### DIVERSION OF WATER FROM NIAGARA RIVER.

The SPEAKER. The gentleman from Virginia is recognized.

Mr. FLOOD. Mr. Speaker—

The SPEAKER. The Clerk will report the joint resolution. It is unfinished business.

The Clerk read as follows:

Joint resolution (S. J. Res. 186) authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River.

Mr. FLOOD. Mr. Speaker, the amendment to the bill has been adopted, and I ask for a vote on it.

Mr. MANN. Mr. Speaker, I would like to offer an amendment.

Mr. STAFFORD. I would like to have the privilege of offering an amendment also.

Mr. RAINEY. I would also like to offer an amendment.

The SPEAKER. The gentleman from Illinois [Mr. MANN] offers an amendment, which the Clerk will report. Does the gentleman from Virginia yield the floor, or just yield it for an amendment?

Mr. FLOOD. I just yield it for the purpose of the amendment.

The SPEAKER. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

In granting any permit under the provisions of this joint resolution the Secretary of War shall require any person or corporation to which such permit may be granted to enter into an agreement to pay to the United States compensation at the rate of \$100 per annum for each

foot of water so daily diverted under the permit granted during any time during which such diversion shall continue after the time herein named for the termination of such permit.

The SPEAKER. The question is on agreeing to the amendment.

Mr. MANN. Mr. Speaker, just a word in explanation of the amendment. The joint resolution provides that all permits shall terminate under the amendment of the House on the 4th of March, and under the original resolution, I believe, on the 1st of July. My amendment simply provides that these parties receiving the permits shall enter into an agreement to pay compensation after the date of the expiration of the permit if they continue to use the water.

Mr. SABATH. Will the gentleman yield?

Mr. FLOOD. Mr. Chairman, how much time have I remaining?

The SPEAKER. Fifteen minutes.

Mr. SABATH. Mr. Speaker, I desire to ask this question of my colleague. By the adoption of this amendment would that not extend the grant to these companies perpetually?

Mr. MANN. It would not. The resolution expressly provides that permits shall terminate at a fixed date. But supposing they continue to use the water, who is going to stop it? How is it going to be stopped? They have been using the water for years without permit.

Mr. SABATH. I wish to say—

Mr. MANN. Now, the amendment simply provides that they shall agree to pay for the use of the water after the permit is revoked, if it is continued in use.

Mr. FLOOD. Pay how much?

Mr. MANN. One hundred dollars for each cubic foot per annum.

Mr. FLOOD. I have no objection to that amendment. I think it is a very good one.

Mr. MANN. They do not get any further rights.

Mr. SABATH. They would not get any further rights under this? Do they claim any other rights under that?

Mr. MANN. They will claim rights undoubtedly, in any event.

Mr. RAINEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. RAINEY. To make some inquiries of my colleague.

The SPEAKER. Does the gentleman from Virginia yield?

Mr. FLOOD. How much time does the gentleman want? I have 12 minutes remaining.

Mr. RAINEY. I just want to ask a question.

Mr. FLOOD. I yield a minute to the gentleman from Illinois.

Mr. RAINEY. What compensation will the Government receive under this amendment?

Mr. MANN. I hope it will not receive any, but it provides for \$100 per annum for each cubic foot of water after the expiration of the permits.

Mr. RAINEY. One hundred dollars for each cubic foot?

Mr. FLOOD. Which will be about \$5 per horsepower if they generate as much power as they ought to generate.

Mr. RAINEY. Will that operate continually in force?

Mr. MANN. It would not. The resolution expressly provides the permits shall cease. It is in the nature of a penalty. That is the purpose of it.

Mr. HARRISON of Mississippi. Will the gentleman from Illinois [Mr. MANN] yield for a question?

Mr. FLOOD. I yield a minute to the gentleman from Mississippi.

The SPEAKER. The gentleman from Mississippi is recognized for one minute.

Mr. HARRISON of Mississippi. I am in sympathy, I will say, with the amendment. The idea really is to make the rate so high it will be prohibitive.

Mr. MANN. It is a penalty—

Mr. HARRISON of Mississippi. The gentleman does not desire by setting this price that that shall be a standard of compensation?

Mr. MANN. Not at all.

Mr. KEATING. On that point of the rate being prohibitive, as a matter of fact, I do not think it would be prohibitive.

Mr. MANN. I do not know that it is prohibitive, but it is in the nature of a penalty.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] has the floor.

Mr. MONDELL. Will the gentleman from Virginia yield for a question?



Mr. FLOOD. Mr. Speaker, I ask to have the amendment again reported.

The amendment was again reported.

Mr. MONDELL. Mr. Speaker, does the gentleman from Virginia yield?

Mr. FLOOD. Does the gentleman want to offer an amendment to the amendment?

Mr. MONDELL. I desire to present an amendment; yes.

Mr. FLOOD. Mr. Speaker, I yield to the gentleman for the purpose of offering an amendment.

The SPEAKER. Is it a separate amendment, or an amendment to this amendment?

Mr. MONDELL. It is an amendment to this amendment. I desire to suggest to the gentleman from Illinois [Mr. MANN] the propriety of putting in the word "cubic" before the word "foot" and the word "second" after the word "foot," so as to avoid any misunderstanding of the amendment.

Mr. MANN. Well, I think likely that ought to be done.

The SPEAKER. Without objection, those amendments will be made, inserting the word "cubic" and the word "second." There was no objection.

Mr. MONDELL. If the gentleman from Virginia will yield a moment further, I wish to say the amendment provides that the compensation shall be at the rate of \$100 per annum for each cubic foot per second diverted daily. The meaning of that language is not entirely clear to me. Possibly I ought to understand it. But is it the thought of the gentleman from Illinois that this shall be a daily charge for each cubic foot of water that is diverted?

Mr. MANN. At the rate of \$100 per annum for each cubic foot of water diverted.

Mr. MONDELL. But the word "daily"—

The SPEAKER. Is the gentleman from Wyoming offering an amendment, or just talking about it?

Mr. MONDELL. The gentleman from Wyoming is desirous of having an understanding of what the amendment means.

Mr. MANN. The resolution provides for a daily diversion of the water. I used the language of the resolution.

Mr. TAYLOR of Colorado. Mr. Speaker, will the gentleman submit to a question?

The SPEAKER. The gentleman from Virginia [Mr. FLOOD] has the floor.

Mr. TAYLOR of Colorado. Will the gentleman from Virginia permit me to ask the gentleman from Illinois a question?

Mr. FLOOD. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has eight minutes left.

Mr. FLOOD. Then I yield to the gentleman from Colorado.

Mr. TAYLOR of Colorado. I would like to ask the gentleman from Illinois a question. Is his amendment sufficiently specific? In the event the cubic-foot rate was only operative a portion of the year, or a month in the year, would it still authorize the charge?

Mr. MANN. At the rate of \$100 per annum.

Mr. TAYLOR of Colorado. Suppose you only ran it a week?

Mr. MANN. Then you would charge for that time at the rate of \$100 per annum. It requires them under the agreement to pay it.

Mr. TAYLOR of Colorado. If they ran it only a week in the year, they ought not to be charged as much as if they ran it a year. Is it a pro rata charge, or have they to run it 365 days a year?

Mr. MANN. A pro rata charge if they run it a day.

Mr. TAYLOR of Colorado. If they would only run it a day it would be a nuisance. I do not think it is sufficiently clear.

Mr. RAINEY. Mr. Speaker, if the gentleman will permit, suppose a foot of water is used a great many times in going down that declivity, as it could be. But the plants are not so equipped, I understand, as to use it very many times. But a cubic foot of water might easily be used a dozen times in going down that declivity. No matter how many times it is used the companies would still pay the amount mentioned in the gentleman's amendment and no more?

Mr. MANN. That is all.

Mr. SMITH of New York. Mr. Speaker—

Mr. FLOOD. Mr. Speaker, I yield one minute to the gentleman from New York.

Mr. SMITH of New York. I desire to ask the gentleman from Illinois whether this penalty applies to the additional water or to all the water diverted?

Mr. MANN. It only applies to the water granted under permit in this resolution.

Mr. SMITH of New York. Is it a penalty?

Mr. MANN. Yes.

Mr. SMITH of New York. Then I have no objection to that.

Mr. MONDELL. Mr. Speaker, I would like to make this suggestion: If the intent of the amendment is to make a charge of a hundred dollars per cubic foot of water diverted per annum, then the charge is not great enough to make the use of the water prohibitive. As a matter of fact it is a very low charge.

Mr. FLOOD. I agree with the gentleman that it is a reasonable charge.

Mr. MONDELL. If, however, it is a daily charge of \$100 per cubic foot per second, then, of course, it is entirely prohibitive.

Mr. FLOOD. It is not a daily charge; it is a per annum charge.

Mr. MONDELL. Then why is the word "daily" used?

Mr. MANN. The word "daily" is used because the provision of the resolution is, "That in no event shall the total quantity of water diverted from said river above the Falls for power purposes exceed in the aggregate a daily diversion at the rate of 20,000 cubic feet per second."

Mr. MONDELL. Well, I will say to my friend that the language used there is intended to prevent a diversion of more than 20,000 cubic feet per second at any time.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN]. The gentleman from Virginia [Mr. FLOOD] has the floor and the control of the time.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield to me a minute?

The SPEAKER. Does the gentleman from Virginia yield?

Mr. FLOOD. I will yield to the gentleman one minute.

The SPEAKER. The gentleman from Wisconsin is recognized for one minute.

Mr. COOPER of Wisconsin. Mr. Speaker, I think there ought to be added to this bill some such proviso as this: "Provided, That the rate charged by any permittee for the use of the power shall be just and reasonable."

Mr. FLOOD. Mr. Speaker, this resolution runs only to the 4th of March. There would not be opportunity for any of the officials to determine what would be a reasonable charge within that time. We will have a bill coming here in a few days to regulate that matter.

Mr. COOPER of Wisconsin. I simply want to put on record the statement as a matter of principle that the Federal Government has the right to put that condition in any grant it makes, and that it ought to be in this bill.

Mr. FITZGERALD. Mr. Speaker, the Public Service Commission in the State of New York regulates the charge that these people will have to pay.

Mr. COOPER of Wisconsin. I know; but the gentleman from New York claims that the Public Service Commission of New York State is the only authority that ought to be permitted to regulate rates.

Mr. FITZGERALD. Yes. And I think the State of New York ought to get this revenue.

Mr. COOPER of Wisconsin. I think the Federal Government ought to regulate all such rates.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

Mr. FLOOD. Mr. Speaker, the gentleman from Colorado [Mr. KEATING] offers a substitute. Then, I will call for a vote.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Colorado.

The Clerk read as follows:

Substitute offered by Mr. KEATING:

"Provided, That permittees under this resolution shall pay into the Treasury of the United States \$1 per horsepower year for all power developed by water diverted from the Niagara River: *Provided further*, That the permittees shall dispose of the power thus generated at reasonable rates and without discrimination to such individuals and corporations as may apply for the same: *Provided further*, That a board to be known as the Niagara water-power board, consisting of the Secretary of War, the Secretary of the Interior, and the Secretary of the Treasury, is hereby created and authorized to formulate and enforce such rules and regulations, not inconsistent with the provisions of this resolution, as may be necessary to carry into effect the foregoing provisions, and said board is further authorized, in case of controversy between any permittee under this resolution and any user or users of power generated by water diverted from Niagara River, to determine what would be a reasonable rate for the use of said power; and the finding of such board shall be binding on said permittee."

Mr. MANN. Mr. Speaker, I make the point of order that that is not a substitute for the amendment which I offered. It relates to an entirely different matter.

The SPEAKER. The point of order is sustained. The question is on the Mann amendment.

Mr. FITZGERALD. Mr. Speaker, I ask to have the amendment again reported, as some Members were not in at the time it was offered.

The SPEAKER. Without objection, the Clerk will again report the amendment.



The amendment was again reported.

Mr. FLOOD. Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

The SPEAKER. The question now is on the third reading of the joint resolution.

The Senate joint resolution was ordered to be read a third time, and was read the third time.

Mr. KEATING. Mr. Speaker, I offer the following motion to recommit. I move to recommit the Senate joint resolution to the Committee on Foreign Affairs, with instructions to report the same back forthwith with the following amendment, which I send to the Clerk's desk.

The Clerk read as follows:

*Provided*, That permittees under this resolution shall pay into the Treasury of the United States \$1 per horsepower year for all power developed by water diverted from the Niagara River; permittees shall dispose of the power thus generated at reasonable rates and without discrimination to such individuals and corporations as may apply for the same: *Provided further*, That a board to be known as the Niagara water-power board, consisting of the Secretary of War, the Secretary of the Interior, and the Secretary of the Treasury, is hereby created and authorized to formulate and enforce such rules and regulations, not inconsistent with the provisions of this resolution, as may be necessary to carry into effect the foregoing provisions, and said board is further authorized, in case of controversy between any permittee under this resolution and any user or users of power generated by water diverted from Niagara River, to determine what would be a reasonable rate for the use of said power; and the finding of such board shall be binding on said permittee.

Mr. FLOOD. And on that motion to recommit, Mr. Speaker, I move the previous question.

Mr. HARRISON of Mississippi. Mr. Speaker, I make the point of order on the motion to recommit that it is not germane.

The SPEAKER. Why?

Mr. HARRISON of Mississippi. Because it deals with a different matter.

Mr. FITZGERALD. Because it provides that there shall be a charge for water diverted under other authority than that conferred by this bill.

Mr. KEATING. Not at all; there is no such provision.

Mr. FITZGERALD. The motion of the gentleman from Colorado provides that there shall be a charge of \$1 per horsepower for all water diverted from the Niagara River. This bill is to confer upon persons now taking water from Niagara River, under permits of the War Department, authority to take additional water. The proposed motion not only seeks to impose a tax upon the additional water granted by the joint resolution, but to impose a tax for water being taken under authority previously granted. There can be no other construction given to the language, because it refers to "all water," and it is a matter of information to be gathered from the reading of the joint resolution itself that water is now being diverted by persons to whom the permits will be issued other than that authorized to be taken under the terms of the pending resolution.

It is not germane to impose a tax for taking water under some other act as an amendment to a bill authorizing a tax for the taking of water in addition to what is being taken.

Mr. KEATING. Mr. Speaker, there is no other act authorizing the diversion of water from Niagara River. There was such an act, but that act has expired. There is now no law permitting anyone to divert water from Niagara River. These permits, if issued by the Secretary of War, will authorize the diversion of 20,000 cubic feet of water. The Secretary of War should not recognize the right of power companies now operating at Niagara Falls to divert a single foot of water except under these permits.

If the legislation now pending before the House is designed to make legal an illegal diversion of water now taking place, the country should know that that is the object of the legislation. I feel that my motion is in order. The purpose of the motion, I will state frankly, is to enable the Government of the United States to collect what is a reasonable charge for the diversion of this water; further than that, to see that the rates charged by the power companies are reasonable, and that discrimination is not practiced by the power companies.

Mr. FITZGERALD. Mr. Speaker, the gentleman from Colorado will not deny that there is other water being diverted than that proposed to be granted under this resolution. That water is being diverted by companies possessing certain riparian rights and under certain grants from the State of New York and under permits issued by the Federal Government, although the time has expired under which the permits from the Federal Government were granted. Under a decision of the United States Supreme Court, there is no power to prevent the continuance of

the diversion except by Congress itself. There is water being diverted other than the water to be diverted under the provisions of this act, and this motion to recommit purports to impose a tax for the diversion of the water taken not under the authority contained in this joint resolution. That proposition is not germane to the resolution. All that could be done in this resolution would be to impose a tax for the taking of the water, in accordance with its provisions, and that has already been done in the amendment offered by the gentleman from Illinois [Mr. MANN], which has been adopted; and this amendment is not germane to the joint resolution.

Mr. BENNET. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. BENNET. On the point of order.

The SPEAKER. Which side is the gentleman on?

Mr. BENNET. On the same side as my colleague [Mr. FITZGERALD].

Supplementing what my colleague has said, the 15,600 cubic feet now being taken are being taken legally, because they are being taken by authority of a statute of the State of New York, and under the decisions of the Supreme Court of the United States, where Congress has the power—assuming that it has the power in this case—and does not exercise it, any State can exercise the same power until it is superseded by congressional action. That was held in the matter of naturalization, as to which Congress had the power to pass a uniform naturalization law, but refrained from exercising it until 1906. In the meantime—

Mr. RAINEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. RAINEY. To address an inquiry to the gentleman from New York.

Mr. BENNET. I yield to the gentleman from Illinois.

Mr. RAINEY. Is the gentleman familiar with the recent case involving the franchise granted by the State of New York to the Development Co., a subcompany of the Aluminum Co. of America, which attempted to develop power at the Long Sault Rapids in the St. Lawrence River, in which case, as I remember it, the Supreme Court of the United States held that the State of New York had no right to grant that authority?

Mr. BENNET. I do not think that was the holding. I know the gentleman referred to that when this matter was before the House on a previous occasion; but I am informed—although I am frank to say I have not looked up the decision—that the holding does not fully bear out the gentleman's contention. I know what the holding of the Supreme Court of the United States was in the naturalization case, where the arguments were on all fours with the question before the House. The holding in that case was that where the Constitution granted to Congress the power to pass exclusive legislation, until Congress did pass that exclusive legislation the State could pass legislation to take care of existing situations. That is what the State of New York has done in relation to this water power, and the 15,600 cubic feet that are now being taken are being taken by authority of law. Therefore the contention of my colleague [Mr. FITZGERALD] is correct, that the motion of the gentleman from Colorado [Mr. KEATING] covers water which is now being taken legally from Niagara.

Mr. STAFFORD. In that connection will the gentleman yield for a question?

Mr. BENNET. Yes.

Mr. STAFFORD. Under the Burton law, as I read it, the permittee was limited to 15,600 cubic feet per second.

Mr. BENNET. Yes.

Mr. STAFFORD. Under this resolution he is authorized to divert more than 15,600 cubic feet. He is authorized to divert more than 20,000 cubic feet per second, provided the aggregate for 24 hours does not exceed that amount. The Burton law limited the amount specifically not to exceed 15,600 cubic feet per second; but we all know that in the use of water power they can utilize more during the load period during the day than during the night, and this resolution would permit the Secretary of War to authorize them to use not to exceed 20,000 cubic feet per second, provided it did not amount to a daily aggregate in excess of that. During the daytime they could divert 80,000 feet, 100,000 feet, or perhaps 200,000 cubic feet per second, provided in the aggregate it did not exceed 20,000 feet for a day of 24 hours.

Mr. BENNET. That has nothing to do with the point of order.

The SPEAKER. The Chair desires to call the attention of gentlemen to the fact that he does not want any discussion of the merits of the motion, but what he wants is a discussion of the



point of order. Is this motion of the gentleman from Colorado in order or not? That is the question.

Mr. BENNET. The contention of my colleague [Mr. FITZGERALD] and myself, of course, is that the motion is not in order, because the 15,600 cubic feet per second now being taken is being taken by authority of law; and as I caught the reading of the motion of the gentleman from Colorado [Mr. KEATING] he attempts to impose a very large charge, not only on the 4,400 cubic feet per second but on the 15,600 cubic feet per second being taken under authority of an act of the Legislature of the State of New York. Therefore the motion is not germane.

Mr. COOPER of Wisconsin. Mr. Speaker, I think that the gentleman from New York [Mr. BENNET] and the other gentleman from New York [Mr. FITZGERALD] are mistaken in their view as to the law governing this matter. The Niagara River is not only a navigable stream but it is also a stream marking the boundary between the United States and a foreign nation. The United States and the other nation entered into a treaty by the terms of which Canada could divert 36,000 cubic feet and the United States of America 20,000 cubic feet of the water of this navigable boundary stream. Both of the gentleman from New York say that 15,600 feet of the water now being diverted on the American side of the river is diverted under authority of a statute of the State of New York. In this they are, in my judgment, entirely mistaken. The Congress of the United States some years ago passed what is called the Burton law, permitting the diversion on the American side of 15,600 cubic feet and no more. It was the United States Government which gave this permission by the Burton law enacted in accordance with the terms of the treaty. Now, the Constitution makes a treaty, and any law of Congress duly enacted to carry out its provisions, the supreme law of the land. Therefore it is not a statute of the State of New York which grants or refuses permission to these persons to divert this water.

The treaty and law make the Secretary of War of the United States the executive officer to enforce the provisions of the law in so far as these concern the division on this side of the boundary.

As I said, the Congress passed a law under which certain persons were granted permission for a definite term to use 15,600 feet. That term expired. An extension was granted, and that also expired some time ago. Last summer the permittees went to the Secretary of War and asked his permission to divert water up to the total of 20,000 cubic feet possible to be lawfully diverted under the provisions of the treaty, and he granted that permission. But recently the Secretary came before the Committee on Foreign Affairs, which reported the pending resolution, and admitted that after granting this permission he had investigated the law and ascertained that as the time limit fixed by Congress had expired he had no authority to grant the permit. As a matter of fact, all the water now being diverted is diverted wholly without authority of law.

If the diverting of 15,600 feet per second is under a law of the State of New York, why did not the permittees ask the Legislature of the State of New York to grant them permission to use the additional 4,400 feet, the balance of the 20,000 feet permissible to be diverted on the American side under the treaty? Why were they here asking the Secretary of War to grant it? He made a mistake. He is wholly without authority. He admitted it. But the passage of this resolution is necessary not only to enable him to grant them permission to divert the additional water which they asked for, but it is necessary also before he can lawfully permit them to divert any water at all. In other words, they are wholly without the right now to divert any of the 20,000 feet.

It seems to me that the point of order raised by the gentleman from New York against the motion to recommit is not well taken.

Mr. DAVIS of Texas. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise? Mr. DAVIS of Texas. To discuss this point of order.

The SPEAKER. The Chair will hear the gentleman briefly.

Mr. DAVIS of Texas. Mr. Speaker, I contend that if this Congress has any jurisdiction over that stream at all, the proposition of the gentleman from Colorado [Mr. KEATING] is entirely germane. I am not willing to submit to the doctrine that the State of New York can set a lot of corporations out on an international stream and forbid the United States Congress assuming jurisdiction over the water they are taking out of that stream. The contention of the gentleman from New York [Mr. BENNET] is shrewd and sharp when he says that whenever the United States fails to assume jurisdiction the State has a perfect right to exercise its own jurisdiction. Then if he and a lot of others can keep the United States from exercising its jurisdiction, that set of corporation cannibals will be left there to cravenly devour

the substance of humanity for the next generation as they have in the past.

The SPEAKER. The Chair is ready to rule. The Chair is not going to undertake to determine this squabble between the United States Government and the State of New York as to who controls the waters of the Niagara River. The title of the resolution before the House shows whether this is germane or not. It is a joint resolution "authorizing the Secretary of War to issue temporary permits for additional diversions of water from the Niagara River," and entirely through these proceedings it has been assumed that the 15,600 cubic feet now being diverted from the river are being diverted lawfully. This resolution has simply to do with the additional grant of water up to 20,000 cubic feet, and the point of order is sustained. The question is on the passage of the joint resolution.

The question was taken, and the Speaker announced that the joint resolution was agreed to.

Mr. KEATING. Mr. Speaker, I want to ask for the yeas and nays.

The SPEAKER. The gentleman from Colorado demands the yeas and nays. Those in favor of taking this vote by yeas and nays will rise and stand until counted. [After counting.] Twenty-eight gentlemen have risen; not a sufficient number.

Mr. KEATING. Mr. Speaker, I make the point of order of no quorum.

Mr. BUCHANAN of Illinois. Mr. Speaker, I demand the other side.

The SPEAKER. Those opposed will rise and stand until they are counted. The gentleman from Colorado temporarily withdraws the point of order. [After counting.] One hundred and thirty-two gentlemen in the negative. Twenty-eight is not a sufficient number.

Mr. KEATING. Mr. Speaker, I desire to make the point of order of no quorum.

The SPEAKER. The Chair will count.

Mr. MANN (during the count). Mr. Speaker, may I submit a parliamentary inquiry a little out of order?

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. MANN. Mr. Speaker, the House having taken a vote upon the passage of a resolution and then having taken a vote on whether they would order the yeas and nays, and having refused to order the yeas and nays, if no quorum is now announced, is the resolution passed, or would there be an automatic call of the House upon the passage of the resolution? I was under the impression that the matter was disposed of when the yeas and nays were refused and the resolution was passed. I am not sure about that.

Mr. KEATING. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. KEATING. I merely want to make the statement to the Speaker that my object in making the point of no quorum was to get a record vote upon the resolution. I endeavored to get that record vote by calling for the yeas and nays, and failing in that I made the point of no quorum.

Mr. MANN. If the gentleman had made the point of no quorum first, he would have obtained his automatic call. Mr. Speaker, I think he slept upon his rights.

Mr. KEATING. Mr. Speaker, I submit that my actions followed naturally, whether in accordance with the precedents or not. I wanted a record vote. The thing for me to do was to demand the yeas and nays. The count of the Speaker having developed the fact that there was not a quorum in the House, I then had the right to make the point of no quorum. I am not familiar with the precedents, but I submit to the Speaker that as a matter of common sense I am now entitled to a record vote upon this question.

Mr. FITZGERALD. Mr. Speaker, the gentleman is in error. The Speaker announced the vote upon the passage of the resolution. The presumption is that a quorum is always present. That is the presumption under which the House transacts all of its business. If the gentleman did not believe that a quorum was present and desired to have a record vote, the raising of the question of the absence of a quorum would have automatically given him a roll call, because the House was dividing. He did not raise the question that a quorum was absent, and therefore the presumption that a quorum was present prevails. He demanded the yeas and nays. The yeas and nays were refused, and then he made the point of order that there was no quorum present; but that relates to the time of the business on his demand for the yeas and nays and does not relate back to the prior transaction when the vote was being taken upon the passage of the resolution. The presumption is that a quorum was present, and the question was not raised when the vote was announced.



Mr. COOPER of Wisconsin. Mr. Speaker, let me ask the gentleman from New York if there is any other presumption than this where the record shows less than a quorum. That is, the Speaker announces the ayes and noes, and in the aggregate there is less than a quorum, but nothing is said about it by anyone on the floor, the point of no quorum not being made; then the presumption would be that a quorum was present.

But if immediately upon the fact being announced that there were 50 ayes and 50 noes, say, and a man then raises the point that there was no quorum, then there is no presumption anywhere, and ought not to be, because immediately upon the fact being announced by the Speaker that there are only 50 ayes and 50 noes, 100 in the aggregate, being present, that was the first means the gentleman from Colorado had to know how many there were in the Chamber.

The SPEAKER. If the gentleman will allow the Chair on that particular point, the question of whether he would order the yeas and nays by asking the gentleman to stand up is not at all conclusive as to whether there is a quorum in the House or not. A great many of them sit in their seats and do not care a straw whether they have a roll call or not.

Mr. FITZGERALD. The gentleman overlooks the rule of the House by which the House automatically votes upon a question. If, when the House is dividing, the question of the absence of a quorum is raised and it is ascertained that a quorum is not present, the roll is automatically called, and the question is taken upon the pending question. The question was taken upon the passage of the bill. No question of the absence of a quorum was raised. The gentleman then demanded the yeas and nays. The House refused to order the yeas and nays. It requires one-fifth of those present to order the yeas and nays, and having refused to order them the vote upon the bill stands as announced by the Speaker. The gentleman now raises the question that there is not a quorum present. The only way a quorum can be brought to the House, if the Speaker finds upon count that there is not a quorum present, is by a call of the House. It requires a motion to call the House, because the House is not dividing upon any question when the point of no quorum is raised. That has been the uniform, unbroken practice of the House. It would be as appropriate for the Speaker to decide that because there is no quorum present now that there was no quorum present when the Journal was approved. The question of the presence of a quorum must be raised at the time the business is transacted, and having passed beyond the time when the vote is taken and the vote announced, we pass on to the question of whether the House will or will not order the yeas and nays upon the vote. The House having refused, if the gentleman desires to bring a quorum, if there be none present, it will require a motion for a call of the House to bring it. Under the rule providing for an automatic roll call we have passed beyond the stage where that can be had.

Mr. KEATING. Mr. Speaker, may I refresh the Speaker's memory concerning one point which may or may not have a bearing upon this question? The Speaker will recall that after I called for the yeas and nays and he had counted those who requested the yeas and nays, I made the point of no quorum before the other side was counted, and the Speaker said that the point of order "would be temporarily withdrawn."

The SPEAKER. The gentleman from Colorado states the sequence of facts as they are, and it seems to me he may have been misled as to the rights he had in the premises, and, under the circumstances of the case, the Chair thinks that it is his duty to count the House and announce the result. There are 206 Members present, not a quorum.

Mr. KEATING. I make the point of no quorum, Mr. Speaker.

The SPEAKER. Under the rule there is no quorum.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House.

Mr. STAFFORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STAFFORD. I would like to inquire whether there is an automatic call.

The SPEAKER. I think not, under the circumstances of this peculiar case. The trouble is that the gentleman from Colorado raised this point in due time, and at the suggestion of the Chair withheld it, and therefore the Chair thinks we ought to have an automatic call.

Mr. FITZGERALD. Mr. Speaker, if the gentleman from Colorado [Mr. KEATING] for any reason waived his rights, even at the suggestion of the Chair, the Chair can not waive my rights as a Member of the House, and can not make a ruling that the gentleman is entitled to something he surrendered at the suggestion from the Chair. I insist there is no automatic call of the House under the rule, and the only call can be a call on the motion for a call of the House.

The SPEAKER. It was the fault of the Chair.

Mr. FITZGERALD. The gentleman has acquiesced in it, and the Chair can not make a bad ruling to help him out of his hole.

The SPEAKER. There do not seem to be any precedents concerning it. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. [Applause.]

Mr. FITZGERALD. I move a call of the House.

The SPEAKER. By holding that the gentleman from Colorado is entitled to his automatic call, then the motion of the gentleman from New York in that particular case would be superfluous.

Mr. FITZGERALD. The Chair has not held it. If the Chair is going to rule that way, he has to rule for the record, not by inference.

The SPEAKER. The Chair has already ruled for the record that in this case the automatic call goes. [Applause.] The Clerk will call the roll. The question is on the passage of the resolution.

The question was taken; and there were—yeas 247, nays 82, answered "present" 0, not voting 104, as follows:

## YEAS—247.

Abercrombie	Doremus	Kennedy, R. I.	Reilly
Adamson	Doughton	Kettner	Riordan
Alexander	Drukker	Key, Ohio	Roberts, Mass.
Almon	Dupré	Kless, Pa.	Roberts, Nev.
Aswell	Edwards	Kincheloe	Rogers
Austin	Elston	King	Rouse
Bacharach	Emerson	Kinkaid	Rowe
Barkley	Fairchild	La Follette	Rubey
Barnhart	Farley	Langley	Russell, Mo.
Bell	Farr	Lazaro	Scott, Mich.
Benedict	Fess	Lee	Sears
Bennet	Fields	Leibach	Sells
Black	Fitzgerald	Lenroot	Shackelford
Boehrer	Flood	Lever	Siegel
Borland	Focht	Linthicum	Sims
Bowers	Freeman	Lloyd	Sinnott
Britten	Fuller	Longworth	Sisson
Browning	Gard	Loud	Slayden
Bruckner	Garland	McAndrews	Slomp
Buchanan, Tex.	Garner	McArthur	Smith, Idaho
Burgess	Garrett	McCulloch	Smith, Mich.
Burnett	Gillett	McFadden	Smith, N. Y.
Butler	Godwin, N. C.	McKenzie	Smith, Tex.
Byrnes, S. C.	Good	McLaughlin	Sparkman
Byrns, Tenn.	Gordon	McLain	Stedman
Caldwell	Greene, Mass.	Madden	Steele, Iowa
Campbell	Greene, Vt.	Magee	Steele, Pa.
Candler, Miss.	Gregg	Mann	Stephens, Nebr.
Cannon	Griest	Mapes	Sterling
Cantrill	Griffin	Martin	Stinson
Capstick	Hadley	Matthews	Stout
Carlin	Hamill	Meeker	Sulloway
Carter, Mass.	Hamilton, Mich.	Miller, Del.	Sumners
Carter, Okla.	Hardy	Miller, Pa.	Swift
Chandler, N. Y.	Harrison, Miss.	Mondell	Switzer
Chapfield	Harrison, Va.	Moon	Tague
Church	Hastings	Mooney	Talbot
Clark, Fla.	Hawley	Moore, Pa.	Taylor, Ark.
Cline	Hayden	Moore, Ind.	Temple
Coady	Hayes	Morgan, La.	Tillman
Coleman	Heflin	Morgan, Okla.	Tilson
Collier	Henry	Morin	Timberlake
Conry	Hernandez	Morrison	Towner
Cooper, Ohio	Hicks	Mudd	Treadway
Copley	Holland	Neely	Venable
Crago	Hollingsworth	Nichols, Mich.	Vinson
Crisp	Hood	Nolan	Walker
Curry	Hopwood	North	Walsh
Dallinger	Houston	Oakey	Ward
Danforth	Hughes	Olney	Wason
Darrow	Hull, Iowa	O'Shaunessy	Watkins
Davis, Minn.	Hull, Tenn.	Overmyer	Watson, Pa.
Davis, Tex.	Humphrey, Wash.	Padgett	Watson, Va.
Dempsey	Humphreys, Miss.	Page, N. C.	Webb
Denison	Husted	Paige, Mass.	Whaley
Dent	Hutchinson	Parker, N. J.	Wheeler
Dewalt	Igoe	Phelan	Williams, Ohio
Dickinson	Johnson, Ky.	Platt	Wilson, La.
Dies	Kahn	Powers	Winslow
Dill	Keister	Price	Woods, Iowa
Doelling	Kelley	Quin	Young, Tex.
Doollittle	Kennedy, Iowa	Rayburn	

## NAYS—82.

Adair	Evans	Leshner	Shouse
Anderson	Foster	Littlepage	Stafford
Ashbrook	Frear	London	Steagall
Ayres	Gallagher	McClintic	Steenerson
Bailey	Gallivan	McKellar	Stephens, Tex.
Blackmon	Goodwin, Ark.	Mays	Stone
Buchanan, Ill.	Gray, Ala.	Moss	Sutherland
Burke	Gray, Ind.	Murray	Sweet
Caraway	Green, Iowa	Oliver	Taggart
Connelly	Hamlin	Park	Tavener
Cooper, W. Va.	Haugen	Rainey	Taylor, Colo.
Cooper, Wis.	Helgesen	Raker	Thomas
Cox	Hilliard	Ramseyer	Thompson
Cramton	Howard	Randall	Van Dyke
Crosser	Huddleston	Rauch	Volstead
Decker	Jacoway	Reavis	Williams, W. E.
Dillon	James	Ricketts	Wingo
Dowell	Jones	Sabath	Woodyard
Eagle	Kearns	Shallenberger	Young, N. Dak.
Ellsworth	Keating	Sherley	
Esch	Kent	Sherwood	



## NOT VOTING—104.

Aiken	Ferris	Kitchin	Porter
Allen	Finley	Konop	Pou
Anthony	Flynn	Kreider	Pratt
Barchfeld	Fordney	Lafean	Ragsdale
Beakes	Foss	Lewis	Rodenberg
Beales	Gandy	Lieb	Rowland
Britt	Gardner	Liebel	Rucker
Browne	Glass	Lindbergh	Russell, Ohio
Brumbaugh	Glynn	Lobeck	Sanford
Callaway	Gould	Loft	Saunders
Carew	Graham	McCracken	Schall
Cary	Gray, N. J.	McDermott	Scott, Pa.
Casey	Guernsey	McGillcuddy	Scully
Charles	Hamilton, N. Y.	McLemore	Sloan
Costello	Hart	Maher	Small
Cullop	Haskell	Miller, Minn.	Smith, Minn.
Dale, N. Y.	Heaton	Montague	Snell
Dale, Vt.	Helm	Mott	Snyder
Davenport	Helvering	Nelson	Stephens, Miss.
Dixon	Hensley	Nicholls, S. C.	Tinkham
Driscoll	Hill	Norton	Vare
Dunn	Hinds	Oglesby	Williams, T. S.
Dyer	Howell	Oldfield	Wilson, Fla.
Eagan	Hulbert	Parker, N. Y.	Wilson, Ill.
Edmonds	Johnson, S. Dak.	Patten	Wise
Estopinal	Johnson, Wash.	Peters	Wood, Ind.

So the joint resolution was passed.

The Clerk announced the following pairs:

On the vote:

Mr. GOULD (for) with Mr. SLOAN (against).

Until further notice:

Mr. SCULLY with Mr. HILL.

Mr. POU with Mr. THOMAS S. WILLIAMS.

Mr. HULBERT with Mr. HOWELL.

Mr. HELVERING with Mr. JOHNSON of South Dakota.

Mr. GANDY with Mr. SNYDER.

Mr. BEAKES with Mr. KREIDER.

Mr. DRISCOLL with Mr. BROWNE.

Mr. ALLEN with Mr. NELSON.

Mr. LEWIS with Mr. KINDS.

Mr. PATTEN with Mr. LAFEAN.

Mr. OLDFIELD with Mr. MCCracken.

Mr. AIKEN with Mr. MILLER of Minnesota.

Mr. SMALL with Mr. MOTT.

Mr. RAGSDALE with Mr. TINKHAM.

Mr. BRUMBAUGH with Mr. NORTON.

Mr. CALLAWAY with Mr. PARKER of New York.

Mr. CAREW with Mr. PETERS.

Mr. CASEY with Mr. PORTER.

Mr. CULLOP with Mr. PRATT.

Mr. DALE of New York with Mr. RODENBERG.

Mr. DAVENPORT with Mr. ROWLAND.

Mr. DIXON with Mr. WILSON of Illinois.

Mr. EAGAN with Mr. SANFORD.

Mr. ESTOPINAL with Mr. SCHALL.

Mr. FERRIS with Mr. SCOTT of Pennsylvania.

Mr. FINLEY with Mr. SMITH of Minnesota.

Mr. WISE with Mr. SNELL.

Mr. FLYNN with Mr. EDMONDS.

Mr. GLASS with Mr. DUNN.

Mr. HART with Mr. FORDNEY.

Mr. HELM with Mr. GRAHAM.

Mr. HENSLEY with Mr. BARCHFELD.

Mr. KITCHIN with Mr. GUERNSEY.

Mr. KONOP with Mr. ANTHONY.

Mr. LIEB with Mr. GRAY of New Jersey.

Mr. LIEBEL with Mr. CHARLES.

Mr. LOFT with Mr. WOOD of Indiana.

Mr. MCDERMOTT with Mr. BRITT.

Mr. MCGILLICUDDY with Mr. CARY.

Mr. MCLEMORE with Mr. COSTELLO.

Mr. MAHER with Mr. DARROW.

Mr. MONTAGUE with Mr. DYER.

Mr. NICHOLLS of South Carolina with Mr. FOSS.

Mr. OGLESBY with Mr. GLYNN.

Mr. RUCKER with Mr. JOHNSON of Washington.

Mr. SAUNDERS with Mr. HAMILTON of New York.

Mr. STEPHENS of Mississippi with Mr. HASKELL.

Mr. WILSON of Florida with Mr. HEATON.

Mr. LOBECK with Mr. DALE of Vermont.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. FLOOD, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

## EXTENSION OF REMARKS.

Mr. AUSTIN. Mr. Speaker, I ask unanimous consent to extend my remarks on this resolution.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks on the resolution just passed. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Virginia makes the same request. Is there objection?

There was no objection.

Mr. CLINE. Mr. Speaker, I ask unanimous consent to extend my remarks on this resolution.

The SPEAKER. And the gentleman from Indiana makes the same request. Is there objection?

There was no objection.

Mr. HUDDLESTON, Mr. SMITH of New York, and Mr. RAINEY submitted the same request.

The SPEAKER. Is there objection to these several requests?

There was no objection.

Mr. DEMPSEY. Mr. Speaker, I also ask unanimous consent to extend my remarks on the resolution just passed.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

## LEAVE OF ABSENCE.

Mr. MEEKER. Mr. Speaker, the gentleman from Minnesota [Mr. SCHALL] has requested me to ask in his behalf leave of absence for 10 days.

The SPEAKER. The gentleman from Minnesota [Mr. SCHALL], through the gentleman from Missouri [Mr. MEEKER], asks unanimous consent for leave of absence for 10 days. Is there objection?

There was no objection.

## CONTINUING JOINT COMMITTEE TO CONSIDER RAILROAD LEGISLATION.

Mr. HENRY. Mr. Speaker, I offer the following privileged resolution.

The SPEAKER. The gentleman from Texas offers a privileged resolution (H. Res. 414), which the Clerk will report.

The Clerk read as follows:

*Resolved*, That the Committee on Interstate and Foreign Commerce is discharged from further consideration of H. J. Res. 323, "To amend a joint resolution creating a joint subcommittee to investigate the conditions relating to interstate and foreign commerce, etc." constituted and organized under S. J. Res. 60, public resolution 25, Sixty-fourth Congress, approved July 20, 1916, and immediately upon the adoption of this resolution the said joint resolution shall be in order for consideration and shall be considered in the House as in Committee of the Whole, and that the first reading of the joint resolution shall be dispensed with, and there shall be not exceeding one hour of general debate to be confined to the subject matter of the joint resolution, one half to be controlled by those favoring the resolution and the other half to be controlled by those opposing it. That at any time during said general debate amendments may be offered, and at the conclusion of said general debate the previous question shall be considered as ordered upon said joint resolution and all pending amendments.

Mr. MANN. Mr. Speaker, I make the point of order that the Committee on Rules has no jurisdiction to report this rule, it never having been referred to the committee by the House.

Mr. HENRY. Mr. Speaker, I will have to agree to the gentleman's suggestion. The original resolution was referred, and I was only copying the resolution as amended, reporting the substitute. If the gentleman insists—

Mr. MANN. I make the point of order.

Mr. HENRY. Mr. Speaker, I ask unanimous consent that the resolution which I send to the Clerk's desk be considered in lieu of the original resolution.

Mr. MANN. Well, I object. Let the Committee on Rules follow the rules of the House.

Mr. HENRY. This is just an oversight. The committee adjourned at 12 o'clock, and I did not have time to drop it into the basket.

Mr. MANN. Well, this is not the last day of the session.

The SPEAKER. The gentleman from Illinois objects.

Mr. HENRY. Mr. Speaker, I offer the resolution in this form—

Mr. MANN. When the gentleman does, I will make the point of order that the committee have not authorized him to do it.

Mr. HENRY. They have authorized me—

Mr. MANN. Then the gentleman ought to have followed the directions of the committee in the beginning.

Mr. HENRY. Mr. Speaker, the committee authorized me to report the resolution, No. 414, which was referred to the Committee on Rules, with an amendment striking out the words beginning in line 15—

The gentleman from Georgia [Mr. ADAMSON] and the other half to be controlled by the gentleman from Wisconsin [Mr. ESCH]—



And to insert as an amendment, after the word "by"—

Those favoring the resolution and the other half to be controlled by those opposing it.

So I offer the resolution with the amendment.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 414 (H. Rept. 1250).

*Resolved*, That the Committee on Interstate and Foreign Commerce is discharged from further consideration of H. J. Res. 323, "To amend a joint resolution creating a joint subcommittee to investigate the conditions relating to interstate and foreign commerce, etc.," constituted and organized under S. J. Res. 60, public resolution 25, Sixty-fourth Congress, approved July 20, 1916, and immediately upon the adoption of this resolution the said joint resolution shall be in order for consideration and shall be considered in the House as in Committee of the Whole, and that the first reading of the joint resolution shall be dispensed with, and there shall be not exceeding two hours of general debate to be confined to the subject matter of the joint resolution, one half to be controlled by the gentleman from Georgia [Mr. ADAMSON] and the other half to be controlled by the gentleman from Wisconsin [Mr. ESCH]. That at any time during said general debate amendments may be offered, and at the conclusion of said general debate the previous question shall be considered as ordered upon said joint resolution and all pending amendments.

Mr. HENRY. Now, the amendments, Mr. Speaker, striking out certain language and inserting other language, beginning in line 15.

The Clerk read as follows:

Amend the resolution by striking out the words "the gentleman from Georgia [Mr. ADAMSON] and the other half to be controlled by the gentleman from Wisconsin [Mr. ESCH]" and inserting the words "those favoring the resolution and the other half to be controlled by those opposing it."

Mr. HENRY. Mr. Speaker, I offer that resolution which the committee authorized to be reported, and I want to say that I have been so crowded that I have not had a moment to get to the basket to drop the substitute into it. I had it rewritten for the convenience of the House, but the gentleman from Illinois is technically correct, and I now offer the resolution which the committee authorized.

Mr. MANN. The gentleman means that he reports the resolution. He does not offer it.

Mr. HENRY. I offer the resolution.

Mr. MANN. He has no authority to offer it. He has authority to report a resolution which has been referred to the committee.

Mr. HENRY. I offer the report of the committee, Mr. Speaker.

Mr. MANN. The gentleman from Texas is not the whole committee. That is what I am trying to emphasize.

Mr. HENRY. Now, Mr. Speaker, I ask unanimous consent that the words "two hours" be stricken out and that the words "one hour" be inserted, so that we may have one hour of discussion on the resolution instead of two hours.

The SPEAKER. The gentleman from Texas [Mr. HENRY] asks unanimous consent to change the two hours to one hour. Is there objection?

Mr. MANN. Reserving the right to object, how much time is going to be consumed in the discussion of the rule?

Mr. HENRY. I have no desire to limit the discussion. How much does the gentleman think ought to be allowed?

Mr. MANN. I do not know, but I suppose there ought to be some time, either upon the rule or the resolution itself.

Mr. HENRY. The gentleman from Kansas asked for 20 minutes. He said he thought it would be sufficient for his side.

Mr. MANN. I do not know how much time is desired on the resolution. I should think that those opposed to the resolution probably would want more than half an hour.

Mr. HENRY. The gentleman from Kansas mentioned 20 minutes.

Mr. CAMPBELL. That was on the rule. I have had no request or intimation as to time on the resolution itself, and have asked for no time.

Mr. HENRY. I have no information on that. I do not know how much time those opposed to the resolution do wish.

Mr. RAYBURN. I should like 15 minutes.

The SPEAKER. Does the gentleman from Texas [Mr. RAYBURN] want 15 minutes on the rule or on the resolution?

Mr. RAYBURN. On the resolution.

The SPEAKER. Has the gentleman from Texas any suggestion?

Mr. RAYBURN. No; I have not.

Mr. HENRY. I suggest 30 minutes. Fifteen minutes on a side will be enough on the rule.

Mr. MANN. The gentleman is making his request about the resolution. I do not care how much time you have on the rule.

Mr. HENRY. My colleague is asking for time on the resolution.

Mr. RAYBURN. I want my time on the resolution, after the rule is adopted.

Mr. MANN. I think two hours' time is not too long, if gentlemen desire to use it on the resolution itself.

Mr. HENRY. The gentleman says it is not too long?

Mr. MANN. I think it is not too long.

Mr. HENRY. Mr. Speaker, I will withdraw the request as to the time on the resolution, and I suggest 15 minutes to a side on the rule.

Mr. CAMPBELL. Let it go at 20. We will not use it if we do not need it.

Mr. HENRY. This is a very plain democratic rule.

Mr. CAMPBELL. It is decidedly Democratic, but I did not know that it was so plain. [Laughter on the Republican side.]

Mr. HENRY. I did not suppose there would be any objection. I will agree to 20 minutes on a side for the rule, 20 minutes to be controlled by the gentleman from Kansas [Mr. CAMPBELL] and the other 20 minutes by myself.

The SPEAKER. The gentleman from Texas asks unanimous consent that debate on the rule be confined to 40 minutes, one half to be controlled by himself and the other half by the gentleman from Kansas. Is there objection?

There was no objection.

Mr. HENRY. Mr. Speaker, I think the House is apprised of the contents of this special rule. It provides for the consideration of the Newlands commission resolution, which is investigating the transportation facilities of the country. It allows two hours' general debate, one hour to be given to those who favor the resolution and one hour to those who oppose it. It throws the resolution open to amendment, and at the end of that time the resolution is to be voted upon.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. HENRY. Yes.

Mr. MOORE of Pennsylvania. Will the gentleman explain whether this has anything to do with the eight-hour question?

Mr. HENRY. It has not, as I understand it.

Mr. MOORE of Pennsylvania. There is another committee investigating that matter now, is there?

Mr. HENRY. I will yield to the gentleman from Georgia; I do not know about the other committee.

Mr. MOORE of Pennsylvania. This rule refers to a bill or resolution by numbers. What I want to know is what you are driving at?

Mr. ADAMSON. I will take great pleasure in answering the gentleman.

Mr. MOORE of Pennsylvania. What is proposed to be done?

Mr. ADAMSON. When the eight-hour law was passed it carried in it a provision for a commission to observe the effect of the eight-hour law on transportation. That is one proposition. This committee had already been raised for the general purpose of considering all questions connected with transportation in any form at home or abroad. This joint committee has been at work and done the best it could. Congress remained in session last fall longer than anybody expected, and we could not get to work until the 20th of November, giving us only a few days before Congress met. As the gentleman from Pennsylvania is aware, the five Members of the Senate and the five Members of the House of this committee are all under responsibility for legislation in their respective Houses. They could not serve in two places at once. They have not yet exhausted one-half of the work they were required to do. Seeing that they can not satisfactorily perform the duties of the investigation and at the same time go out and legislate, they decided to ask Congress for an extension of their authority.

Mr. MOORE of Pennsylvania. If the gentleman will permit, Senate joint resolution 60 is the resolution under which this committee is created?

Mr. ADAMSON. Yes.

Mr. MOORE of Pennsylvania. Is that the Adamson-Newlands commission?

Mr. ADAMSON. It is the Newlands commission.

Mr. MOORE of Pennsylvania. I prefer to call it the Adamson-Newlands commission.

Mr. ADAMSON. The gentleman from Pennsylvania is very complimentary, but I yield to the great Senator from Nevada.

Mr. MOORE of Pennsylvania. Senate joint resolution 60 is the resolution that followed the Adamson eight-hour law?

Mr. ADAMSON. No; it preceded it several months. In our investigation, if anybody thinks it is material to our investigation to consider the eight-hour law, they can do so.

Mr. MOORE of Pennsylvania. The commission was created under Senate joint resolution 60?

Mr. ADAMSON. Yes.



Mr. MOORE of Pennsylvania. And this present resolution has for its purpose the continuation of the committee work?

Mr. ADAMSON. Yes.

Mr. MOORE of Pennsylvania. The commission has not finished its work yet?

Mr. ADAMSON. No, sir.

Mr. HENRY. Mr. Speaker, I decline to yield further.

Mr. MOORE of Pennsylvania. I appeal to the gentleman from Texas to let me ask what House joint resolution 323 is?

Mr. HENRY. Well, I will yield for that; but the only thing that astonishes me is that the gentleman from Pennsylvania should be asking for information. Generally he has it.

Mr. MOORE of Pennsylvania. We sought information yesterday of the gentleman from Texas, and we were obliged to ask several questions. This resolution discharges the Committee on Foreign Commerce from further consideration of House joint resolution 323?

Mr. ADAMSON. That is the resolution offered by myself to extend the original resolution, Senate joint resolution 60.

Mr. MOORE of Pennsylvania. The real purpose is to continue the commission already created?

Mr. ADAMSON. Yes. We were required to report next Monday, but we could not do it, and if the time is not extended we will waste all of the labor we have already put in.

Mr. MOORE of Pennsylvania. The Adamson law provided for an investigation that was to be reported on about the 1st of January. Was this the commission that was to make that report?

Mr. ADAMSON. The gentleman is mistaken. It was not to report on the 1st of January; it was to begin on the 1st of January and observe the operation of the eight-hour law.

Mr. MOORE of Pennsylvania. The idea now is to allow this Newlands commission only to catch up with its work?

Mr. ADAMSON. It has no reference to the eight-hour question, but only to extend the time allowed for the Newlands committee, the joint investigation committee, to complete its work.

Mr. MOORE of Pennsylvania. I am much obliged to the gentleman.

Mr. HENRY. Is the gentleman from Pennsylvania satisfied?

Mr. MOORE of Pennsylvania. Not thoroughly.

Mr. HENRY. Mr. Speaker, I reserve the balance of my time.

Mr. CAMPBELL. Mr. Speaker, it is a rare thing in Washington to see the expiration of a commission. Once created, they die hard. I had hoped, after reading the Democratic platform of 1912, that we would see the expiration of one commission after another, in keeping with that plank which pledged the party to the elimination of useless offices.

Mr. ADAMSON. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. Yes.

Mr. ADAMSON. I wish to advise the gentleman that when I was instructed to offer this request for an extension the distinguished Republican members of the committee did not invoke the Democratic platform or any other, but unanimously voted that it was wise to ask for this extension.

Mr. CAMPBELL. Oh, I assume that the Republican minority was willing to let the Democrats take all of the rope that they wanted.

Mr. ADAMSON. The gentleman is badly mistaken. The Republican members are taking a great deal of rope.

Mr. CAMPBELL. With the hope that the Democrats will hang themselves as early as possible.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. No; I can not.

Mr. MANN. Mr. Speaker, I suggest to the gentleman from Georgia that the committee has not even reported the resolution. The gentleman from Georgia [Mr. ADAMSON] stated that the committee unanimously favored the resolution. They could not even get enough members of the committee to favor a report upon the resolution, and the gentleman has not been able yet to even report it into the House.

Mr. ADAMSON. Mr. Speaker—

The SPEAKER. The gentleman from Kansas has the floor.

Mr. ADAMSON. Will he yield to me?

Mr. CAMPBELL. The gentleman will have an hour in a short time, in which he can make all of the explanations he wishes to make about this resolution.

Mr. ADAMSON. But just at this point I do not care to explain the resolution, but the tangle that the gentleman is getting into with the gentleman from Illinois [Mr. MANN].

The SPEAKER. The gentleman from Kansas has the floor.

Mr. CAMPBELL. Mr. Speaker, in addition to breathing additional life into a commission that is about to die, this resolution violates another pledge of the Democratic platform. It creates a job for a gentleman whose job will soon expire. This resolu-

tion, if agreed to at all, should provide that Members of Congress who are upon the pay rolls shall perform the duties of the commission, as was originally intended, and it ought not to create positions for gentlemen who retire from Congress, as the resolution does in its present form.

A great deal is said now about conserving the revenues of the Government. Certain metropolitan newspapers are frantic for fear the rest of the country may get some of the money in the Treasury—they want it all themselves. The amount in the Treasury is getting very low, and these little dribblets ought to be guarded very carefully. The extension of this commission at a cost of \$40,000 seems to me to be a useless expense. At the end of another year the country will know as much about the federalization of the railroads as it knows now. There are as many academic discussions of that subject in books and magazines and upon the lecture platform as there will be found in the report of the committee, which will never be read.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. CAMPBELL. It will simply delay for a year important action on railway legislation that should be taken now. We should get rid of 48 commissions as soon as possible and require one to do the work.

The SPEAKER. The gentleman has consumed five minutes. Does the gentleman from Texas desire to consume his time now? If not, the Chair will put the question.

Mr. HENRY. Mr. Speaker, I am ready for the question.

Mr. CAMPBELL. Oh, Mr. Speaker, I have 20 minutes.

The SPEAKER. If the gentleman does not want to use the time, the Chair will put the question.

Mr. HENRY. I yield five minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. CANTRILL. Mr. Speaker, I would like to ask the gentleman from Kansas a question before he takes his seat.

Mr. CAMPBELL. I suggest that the gentleman do that in his own time.

The SPEAKER. The gentleman from Kansas declines to be interrogated.

Mr. HENRY. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Speaker, the gentleman from Kansas persists in calling this a commission. I do not think that is the proper designation of it. The resolution itself provides for the formation of a joint subcommittee, the Members of the Senate to be from a standing committee in the Senate and the Members of the House to be from a standing committee in the House. It is a joint subcommittee, as I understand it, and nothing but a subcommittee, to investigate every question covered by the resolution.

Mr. MANN. Mr. Speaker, will the gentleman yield for a question?

Mr. SIMS. Certainly.

Mr. MANN. If it is a subcommittee of the two committees in the next Congress, ought it not to be composed of members of those two committees?

Mr. SIMS. Mr. Speaker, to answer from the face of the resolution, I do not see how it could be formed in any other way. As far as the original resolution is concerned, that is existing law, but the pending resolution is an amendment to the extent of permitting a member on the committee who is now a member of the House committee to continue performing the duties pertaining to this subcommittee after his present term of office shall have expired.

Mr. MANN. He will be on the subcommittee of a committee when he can not be and will not be a member of it.

Mr. SIMS. I understand the gentleman from Illinois to be stating the facts correctly. He will not be a Member of the House and will not have a vote as a Member of the House, but for the purpose of investigating the subjects covered by the resolution, and having done part of the work, he might be better qualified than a Member of the House who is not familiar with the work; but I concede the force of the statement of the gentleman from Illinois. This resolution is subject to amendment, as I understand. Mr. Speaker, I think in the present conditions it is necessary and important to finish this investigation.

We all remember that the President's recommendation was for a commission of experts or a commission which presumes themselves to be experts. Now, I think it is high time for the House of Representatives and the Senate to do some of their own investigating and be responsible for the facts they develop and be responsible for the reports they make on the floor of their respective Houses. These commissions of experts know how to do one thing well, and that is how to bring out all of the information on one side and how to withhold all of it on the other side. It seems that experts nearly always testify



favorably to the side that summons them. That has been my experience in having experts before committees of which I have been a member several times. Experts seemingly with equal opportunity to have accurate knowledge of the facts come in and testify that the results of proposed legislation will be exactly opposite, in effect—

Mr. RAYBURN. The gentleman talks about this committee for the information of the House. What became of the hearings if any have been printed? Somebody told me there were 2,000 copies of the hearings printed each day. Is that true?

Mr. SIMS. I do not know.

Mr. RAYBURN. The Chairman says there are 1,000 printed. I have never found a Member of Congress yet who has received a copy through the mail or in any other way, but I understand that they are being used in plate matter all over the country, which is also using the utterances of Mr. Thom. It seems to me if this information is for Members of Congress the Members should get hold of it once in a while.

Mr. SIMS. I am surprised at what the gentleman from Texas has said. I did not know that Members of Congress are not receiving them. I know they ought to receive them. And if there are 1,000 copies, the Members of the House and the Members of the Senate should be first supplied before anybody else is supplied with them. That is my individual judgment. If the chairman of the committee has not sent the hearings to the Members, he should have done it. The gentleman from Illinois [Mr. MANN] says he sends them to everybody who wants them, and therefore if anybody in the House wants them and will notify the chairman of the committee they will no doubt get them.

Mr. Speaker, this investigation has gone on to a certain extent, and that is to the extent that those who own the railroads and favor the legislation which they advocate have placed their statements before the committee. Of course, they expect to back up these propositions by introducing experts in the future. This official information is now available, but the other side, or those who oppose it, have not had an opportunity to be heard. And as a member of the committee I want to hear both sides to every question and give those who oppose and those who propose a fair opportunity to set before the committee everything they wish to state. And if this investigation is stopped now the effect will be to have a partial investigation.

The SPEAKER pro tempore (Mr. BORLAND). The time of the gentleman has expired.

Mr. HENRY. Mr. Speaker, I will state to the gentleman from Kansas [Mr. CAMPBELL] that there will be only one more speech on this side.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Wisconsin [Mr. LENROOT].

Mr. LENROOT. Mr. Speaker, so far as the rule itself is concerned, it is fair and I do not oppose it upon that ground. But I am not in favor of the resolution to which it relates, and if the House should be of that same opinion it will save two hours' time of the House if this rule be voted down and thus dispose of the question.

I am opposed to the resolution, Mr. Speaker, because for one reason the committee to whom it has been referred and before whom it is pending has never made a report to this House upon it. The rule proposes to discharge that committee from the consideration of this resolution, and we to-day have not the benefit of the views of the Committee on Interstate and Foreign Commerce at all upon this question. Furthermore, Mr. Speaker, I am opposed to the resolution itself, because I believe the time has come when in the creation of commissions or committees to investigate matters there should be some way of limiting those investigations to facts rather than to securing the opinions and conclusions of whoever may think he has some views upon any question before that commission or committee. And if this committee is created and is to be extended for one year, judging from what has already appeared before that committee, we can naturally expect 14 or 15 volumes of alleged testimony containing the views and opinions of all sorts of men in the United States, with practically no facts that will be of any benefit whatever to Members of Congress. I say that because, judging from what has already taken place before that committee, there is little if anything that has appeared in those hearings that was not already available to every Member of Congress if he chose to look for it. Practically all of the testimony before that committee has been opinions of men that had already appeared in books and magazines—their conclusions, but very few, if any, facts.

Now, Mr. Speaker, it is the province and business of the Committee on Interstate and Foreign Commerce in this House, by subcommittee or otherwise, to investigate these various questions, and if they want facts, and I assume they do, rather

than opinions of men which they can get without such a commission as this, the place to go for it is a department of the Government, the Interstate Commerce Commission, which has abundant facts upon every phase of these questions, and if we desire recommendations to aid that committee in coming to conclusions, let us ask for the recommendation of a public, impartial, expert body of men, the Interstate Commerce Commission, upon these various questions.

Reference has also been made to the fact that one member of this committee retires on the 4th day of March, and yet this resolution proposes to continue him as a member of this committee when he will not be a Member of the Sixty-fifth Congress. Mr. Speaker, so far as expert knowledge is concerned, I will undertake to say that the chairman of the committee, the gentleman from Georgia [Mr. ADAMSON], the next member [Mr. SIMS], the ranking member [Mr. ESCH], upon this side, and the next member [Mr. HAMILTON], all of whom have been Members of Congress for a great many years, most of whom have been members of this Interstate and Foreign Commerce Committee for many years, are better qualified to-day to form a judgment as to what they think ought to be done with reference to these questions than any witnesses that will appear before that committee giving their opinions and conclusions of what ought to be done. And the result is going to be, if this resolution be adopted, that we will have 14 or 15 volumes of testimony, meaning an expenditure not of \$40,000, as provided in this resolution, but \$100,000 or more, for the printing of testimony that few Members of Congress probably will ever read.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMPBELL. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, we have to take what comes. The action of the House yesterday forced the Committee on Rules to meet, and I am glad there is something that can call the Committee on Rules together, though it produces this unfortunate result. The Committee on Rules has reported a good many rules to the House with reference to various pieces of legislation, but heretofore even that distinguished committee, with our beloved friend its chairman, has not undertaken to ask the House to consider a matter where the committee itself, having the matter before it, refused to consider it. We get rule after rule brought into the House from the Committee on Rules because the chairman of some appropriation committee asks for a rule making in order something which is reported by the committee of which he is the chairman. But up to date it has not been the practice of the Committee on Rules to itself determine whether legislation ought to be passed or not. They wait until a committee has reported it. But in this case just what the pipe-line connection is I do not know. Nobody stands sponsor, no committee stands sponsor, for the resolution which is proposed to be considered. This resolution was introduced in the House in December. The distinguished chairman of the Committee on Interstate and Foreign Commerce asked unanimous consent in December to have it considered. Objection was made. The request was made again in this month. Objection was again made. The Committee on Interstate and Foreign Commerce has not been absent. Its members are here. But they have not met to report the resolution.

How does it happen, then, that the chairman or some Member of the House can introduce a resolution to have the Committee on Rules discharge a committee and bring before the House a matter which the committee will not consider? If the Committee on Interstate and Foreign Commerce favors the resolution, why have not they reported it? Why has the Committee on Rules undertaken to say, without a report of the proper legislative committee, what shall be considered by the House? That is assuming a power which the Committee on Rules has no right to arrogate to itself. A Member of the House introduces a proposition of legislation. It goes to the appropriate committee, and he ought not to expect to get consideration in the House through the Committee on Rules, and not through the committee to which the matter is referred. The Committee on Rules may be a useful adjunct, but here it tries to be the whole thing. [Laughter.]

Well, I am glad, at least, that it is the Committee on Rules that is trying to be the whole thing and not the chairman, as was apparently the case a few days ago. [Laughter.] That is one good result. I think we ought to vote down the rule. The primary purpose of the rule, the primary purpose of the resolution, is to take care of a "lame duck." [Laughter and applause.]

Mr. CAMPBELL. Mr. Speaker, does the gentleman from Texas wish to use some time now?

Mr. HENRY. No.



Mr. CAMPBELL. Then I yield five minutes to the gentleman from New York [Mr. BENNET].

The SPEAKER pro tempore. The gentleman from New York [Mr. BENNET] is recognized for five minutes.

Mr. BENNET. Mr. Speaker, the distinguished leader on our side of the House said that this was the worst that had come out of the Committee on Rules, and the minority members of the Committee on Rules agree with him. But, more than that, we can not hold out the hope that this is the worst that will come out, because we anticipate that before the 1st of March there will be rules that will come out of our committee alongside of which this will seem conservative. So I can not even comfort the distinguished gentleman from Illinois with the illusions of hope. [Laughter.]

What does this rule do? In the first place, it performs a Caesarean operation on the Committee on Interstate and Foreign Commerce [laughter] and takes from it a resolution through which it has a perfect right to show its parturitive ability by itself delivering. [Renewed laughter.]

In the second place, it kills a very excellent bill. I refer to H. R. 563, introduced by the gentleman from Texas [Mr. RAYBURN], reported from the Committee on Interstate and Foreign Commerce unanimously on March 14, 1916, entitled "A bill to amend section 20 of an act to regulate commerce, to prevent overissues of securities by carriers, and for other purposes," and if you will pass this rule and then the resolution, and thus continue this joint subcommittee—and in deference to the gentleman from Tennessee [Mr. SIMS] I call attention to the fact that it is not a subcommittee on joints [laughter]—if you continue this joint subcommittee, you will have postponed for years the exercise of the authority of Congress to prevent the issues of watered stock and bad securities in those States which now have no laws which forbid such issues.

Mr. HARRISON of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. BENNET. For a question.

Mr. HARRISON of Mississippi. The gentleman stated that this is a remarkable rule. I judge that he made that statement because it proposes to discharge a committee from the consideration of a bill and bring it up in the House. Is that his reason?

Mr. BENNET. Yes.

Mr. HARRISON of Mississippi. Does the gentleman recall—

Mr. BENNET. I do.

Mr. HARRISON of Mississippi. The gentleman will let me ask the question, will he not?

Mr. BENNET. The Vreeland Act in the Sixtieth Congress.

Mr. HARRISON of Mississippi. Where the subcommittee stated what the bill should be, and what we should vote on, without the power of amendment?

Mr. BENNET. Yes; and I also recall what the people did to us in the fall after that. [Laughter.] And you are traveling the same road, with the same kind of rules.

Mr. HARRISON of Mississippi. We are allowing all manner of amendments here, with full discussion. There was not any request for longer discussion.

Mr. BENNET. I did not yield to the gentleman. The gentleman's statement is correct, although his conduct is not. [Laughter.]

Now, there is not one single argument that can be made in favor of either this rule or the resolution. Why, this committee has been in existence five and one-half months. I am reliably informed that they have examined one witness wholly and seven partially in five and one-half months, and that they asked one gentleman, one distinguished railroad gentleman, a question, and at the end of two weeks he was still answering that question. [Laughter.] Well, just think of the number of railroads there are, the number of witnesses they can call, the number of labor unions there are, the number of civic organizations there are, the number of boards of trade there are, and what will be stirred up to come before this committee! Oh, it is an awfully hard thing to stop a commission. I was on one myself once, and it took two acts of Congress to put us out. [Laughter.]

If you do this foolish thing to-day and take this bill away from a committee that will not report it, and do the other things that I have mentioned, you will regret it as long as you live. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. HENRY. Mr. Speaker, I am somewhat surprised at the turn affairs have taken here to-day. For some reason gentlemen on that side seem inclined to criticize the Committee on Rules, and have made some allusions to our conduct. They have made some reference to the gentleman from Georgia [Mr. ADAMSON] for not calling his committee together to pass on this

resolution. They should be more considerate. The gentleman from Georgia has been to Georgia attending to affairs more important. [Applause.]

Mr. Speaker, there is no reason for the criticisms that these gentlemen make. Here is a joint resolution providing for the continuation of an important work, and gentlemen speak of this rule as being extreme. There is nothing very unusual about it. This thing has been done before, and will be done again. The chairman of the Committee on Interstate and Foreign Commerce [Mr. ADAMSON] came before the Committee on Rules, and so did the gentleman from Tennessee [Mr. SIMS], one of the senior members of that committee, and asked that their committee be discharged from further consideration of this joint resolution, to which there did not seem to be any objection, except by one or two members.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. HENRY. Yes; I yield.

Mr. MANN. With reference to the construction of the rule?

Mr. HENRY. Yes.

Mr. MANN. If any Member gets the floor under this rule, stating he is in favor of the resolution, he is entitled to an hour's time, is he not?

Mr. HENRY. I think so.

Mr. MANN. And any gentleman who gets the floor stating he is opposed to the resolution is entitled to an hour's time?

Mr. HENRY. Undoubtedly, I think.

Mr. MANN. When could anybody else offer an amendment to the resolution?

Mr. HENRY. I am willing to amend the rule so that you can offer amendments as freely as you please. I think under its terms they can be offered.

Mr. MANN. It says at any time during the general debate amendments may be offered. I take it a Member can not offer an amendment unless he gets recognized by the Chair.

Mr. HENRY. Now, Mr. Speaker, I do not want—

Mr. MANN. I am trying to get a construction of the rule.

Mr. HENRY. I think amendments can be offered. I do not want to quibble about it, and if that is not satisfactory to the gentleman I am willing to yield enough time to him to perfect it, so that gentlemen can have no misunderstanding about it; or, after I get through, I think he can get it by unanimous consent, if he wants it, because I do not wish to move the previous question—

Mr. MANN. I thought if we could have an understanding—

Mr. HENRY. Let us have an understanding, then.

Mr. ADAMSON. I will state what my purpose was. I do not know whether that can be considered or not.

Mr. HENRY. We will have an understanding. I decline to yield to the gentleman from Georgia for a moment. What understanding does the gentleman from Illinois wish about the offering of amendments?

Mr. MANN. I think anyone ought to have the privilege of offering amendments, and not have the right to do so dependent upon having the gentleman who has control of the time yield to him for that purpose.

Mr. ADAMSON. That is what I intended.

Mr. MANN. I think that ought to be the understanding.

The SPEAKER. The Chair would like to ask both gentlemen a question. This rule provides that the Adamson resolution shall be considered in the House as in Committee of the Whole. Now, that being the case, how does it come that any gentleman gets an hour?

Mr. ADAMSON. That refers to only the first hour.

Mr. MANN. It may be that they do not.

The SPEAKER. Without deciding the question positively, the Chair is rather inclined to think that any gentleman getting the floor will be entitled to five minutes.

Mr. MANN. If that is the understanding, it is satisfactory.

Mr. HENRY. I do not object to that.

Mr. MANN. Of course, there is no such thing as general debate in the House as in Committee of the Whole.

The SPEAKER. No.

Mr. MANN. That is the reason I was seeking to get a construction of the rule.

The SPEAKER. The Chair is suggesting that to the gentleman.

Mr. HENRY. I think the five-minute rule would apply. I do not think there would be any trouble about that.

Now, Mr. Speaker, I was going to say that this is not an extreme rule. The Committee on Rules tried to be as liberal as possible about it, because apparently there is not much controversy over this joint resolution, and it seemed that it was the general understanding in the Committee on Interstate and Foreign Commerce that it was necessary to continue the work



of this joint committee. Gentlemen speak about some present Member of Congress being continued on this committee after his term expires. Do you not recall the Aldrich Commission, which reported the Aldrich bill to Congress? If I remember correctly, there were several gentlemen whose terms had expired who continued to serve on that commission, and the bill was finally reported and the report of the commission was filed with Congress, although perhaps several years had expired. You passed the Vreeland-Aldrich emergency measure, and then that commission went ahead with its work and reported to Congress. You gentlemen did that. You did not seem to think there was anything wrong about it; and if to-day some Member who is familiar with this question is continued on this committee, where he can do a good service for Congress and for the country, I do not think that any gentleman should make objection; and in my opinion I do not know of anyone better qualified to serve on this committee than the gentleman whom some of you have in mind.

Now, Mr. Speaker, I hope that during the remainder of this session we will not hear any more criticism of the Committee on Rules, and especially of the chairman of the committee. We try to be liberal. I know that we are fair, and I am sure that we do no unusual or extreme thing. If you gentlemen will so regulate your conduct as not to make it necessary to bring in these rules we will have better rules for the House; but if you do not, what we have done up to date may not be all that will be accomplished by the Committee on Rules during the remainder of this session.

I have heard a great many discussions on the floor of the House, but this morning I have heard less said of real merit pertaining to the questions in controversy than ever I have heard before during my service. Every gentleman who spoke talked about everything except the question before us, and they all know it. They were only endeavoring to play politics. Now, if you are going to play politics, select something of importance upon which to go to the country, and do not pick up such questions as you brought before the House yesterday, without any facts, and this matter here to-day.

Mr. STAFFORD. The gentleman is dying hard.

Mr. MANN. "Still harping on my daughter!"

Mr. HENRY. Oh, Mr. Speaker, pick out something of real merit and we are ready to meet you. Speaking about dying hard, every one of you knows that the Republican Party has already died, and it deserved to die. Why, you are not united even now. I have seen some hint in the papers that the gentleman from Massachusetts [Mr. GARDNER] threw a brick at the one else instead of at the chairman of the Committee on Rules yesterday. He is interviewed once in a while and raises these partisan questions.

Now, Mr. Speaker, this resolution is fair and it ought to be adopted.

I move the previous question on the rule and the amendment.

The SPEAKER. The gentleman from Texas moves the previous question on the rule and the amendment to the final passage.

The question being taken, the Speaker announced that the yeas appeared to have it.

Mr. HENRY. Division, Mr. Speaker.

The SPEAKER. The gentleman from Texas demands a division. Pending the division—

Mr. HENRY. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. MANN. The gentleman will not get an automatic call if he makes the point now.

The SPEAKER. The Chair is going to count. Then he can get it.

Mr. HENRY. Mr. Speaker, I withdraw the point of no quorum, because I think the Democrats ought to be here.

The House divided; and there were—ayes 42, yeas 103.

Mr. HENRY. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and ninety-nine Members present, not a quorum. The Doorkeeper will lock the doors, the Sergeant at Arms will send for absentees, and the Clerk will call the roll. Those in favor of ordering the previous question will answer "yea," those opposed will answer "nay."

The question was taken; and there were—yeas 168, nays 140, answered "present" 2, not voting 123, as follows:

## YEAS—168.

Abercrombie	Ashbrook	Blackmon	Burgess
Adair	Aswell	Boomer	Burke
Adamson	Ayres	Borland	Burnett
Alexander	Bailey	Bruckner	Byrnes, S. C.
Almon	Black	Buchanan, Tex.	Byrns, Tenn.

Candler, Miss.	Gard	Leshner	Rucker
Caraway	Garner	Lever	Russell, Mo.
Carlin	Garrett	Linthicum	Sears
Carter, Okla.	Godwin, N. C.	Littlepage	Shackelford
Church	Goodwin, Ark.	Lloyd	Shallenberger
Coady	Gordon	London	Sherley
Coiler	Gray, Ala.	McAndrews	Sims
Connelly	Gray, Ind.	McClintic	Slayden
Conry	Gregg	McKellar	Smith, Tex.
Cooper, Ohio	Hamill	Martin	Steagall
Cox	Hamilton, Mich.	Mays	Stedman
Crisp	Hamlin	Miller, Pa.	Steele, Pa.
Crosser	Hardy	Moon	Stephens, Miss.
Davis, Tex.	Harrison, Miss.	Morgan, La.	Stephens, Nebr.
Decker	Harrison, Va.	Morrison	Stephens, Tex.
Dent	Hastings	Moss	Stout
Dewalt	Hayden	Murray	Summers
Dickinson	Hefflin	Neely	Taggart
Dies	Henry	Oliver	Tague
Dill	Hilliard	Olney	Talbott
Dooling	Holland	O'Shaunessy	Tavener
Doolittle	Hood	Overmyer	Taylor, Ark.
Doremus	Houston	Padgett	Taylor, Colo.
Doughton	Howard	Page, N. C.	Thomas
Dupré	Huddleston	Park	Thompson
Eagle	Hughes	Phelan	Tillman
Esch	Hull, Tenn.	Price	Van Dyke
Estopinal	Humphreys, Miss.	Quin	Vinson
Evans	Igoe	Rainey	Walker
Farley	Jacoway	Raker	Watkins
Ferris	Johnson, Ky.	Randall	Watson, Va.
Fields	Jones	Rauch	Webb
Fitzgerald	Keating	Rayburn	Whaley
Flood	Kettner	Reilly	Williams, W. E.
Foster	Kincheloe	Riordan	Wilson, La.
Gallagher	Lazaro	Rouse	Wingo
Gallivan	Lee	Ruby	Young, Tex.

## NAYS—140.

Anderson	Farr	Lehbach	Rogers
Austin	Fess	Lenroot	Rowe
Bacharach	Focht	Longworth	Scott, Mich.
Benedict	Frear	Loud	Seigel
Bennet	Freeman	McArthur	Sinnot
Bowers	Fuller	McCulloch	Slomp
Britt	Garland	McFadden	Smith, Idaho
Britten	Gillett	McKenzie	Smith, N. Y.
Good	Gillett	McLaughlin	Stafford
Green, Iowa	Good	Madden	Steele, Iowa
Greene, Mass.	Green, Iowa	Magee	Steenerson
Greene, Vt.	Greene, Vt.	Mann	Sterling
Griest	Griest	Mann	Stinson
Hadley	Hadley	Matthews	Sullivan
Haugen	Haugen	Meeker	Sutherland
Hawley	Hawley	Miller, Del.	Sweet
Helgesen	Helgesen	Mondell	Swift
Hernandez	Hernandez	Mooney	Switzer
Hicks	Hicks	Moore, Pa.	Temple
Hollingsworth	Hollingsworth	Moore, Ind.	Temple
Hopwood	Hopwood	Morgan, Okla.	Tilson
Hull, Iowa	Hull, Iowa	Morgan	Timberlake
Humphrey, Wash.	Humphrey, Wash.	Mudd	Towner
Hutchinson	Hutchinson	Nichols, Mich.	Treadway
James	James	Nolan	Volstead
Kahn	Kahn	North	Walsh
Kearns	Kearns	Oakey	Ward
Keister	Keister	Paige, Mass.	Wason
Kelley	Kelley	Parker, N. J.	Watson, Pa.
Kennedy, Iowa	Kennedy, Iowa	Platt	Wheeler
Kennedy, R. I.	Kennedy, R. I.	Pratt	Williams, Ohio
Kless, Pa.	Kless, Pa.	Ramseyer	Wilson, Ill.
King	King	Reavis	Winslow
Kinkaid	Kinkaid	Ricketts	Woods, Iowa
La Follette	La Follette	Roberts, Nev.	Woodyard
			Young, N. Dak.

## ANSWERED "PRESENT"—2.

Johnson, Wash. Smith, Mich.

## NOT VOTING—123.

Aiken	Eagan	Key, Ohio	Powers
Allen	Edmonds	Kitchin	Ragsdale
Anthony	Edwards	Konop	Roberts, Mass.
Barchfeld	Finley	Kreider	Rodenberg
Barkley	Flynn	Lafean	Rowland
Barnhart	Fordney	Langley	Russell, Ohio
Beakes	Foss	Lewis	Sabath
Beales	Gandy	Liebel	Sanford
Bell	Gardner	Liebel	Saunders
Brumbaugh	Glass	Lindbergh	Schall
Buchanan, Ill.	Glynn	Lobeck	Scott, Pa.
Caldwell	Gould	Loft	Scully
Callaway	Graham	McCracken	Sells
Cantrill	Gray, N. J.	McDermott	Sherwood
Carew	Griffin	McGillcuddy	Shouse
Cary	Guernsey	McKinley	Sisson
Casey	Hamilton, N. Y.	McLemore	Sloan
Chandler, N. Y.	Hart	Maher	Small
Charles	Haskell	Miller, Minn.	Smith, Minn.
Clark, Fla.	Hayes	Montague	Snell
Copley	Heaton	Mott	Snyder
Costello	Helm	Nelson	Sparkman
Crago	Helvering	Nicholls, S. C.	Stone
Cullop	Hensley	Norton	Tinkham
Dale, N. Y.	Hill	Oglesby	Vare
Dale, Vt.	Hinds	Oldfield	Venable
Davenport	Howell	Parker, N. Y.	Williams, T. S.
Dixon	Hulbert	Fatten	Wilson, Fla.
Driscoll	Husted	Peters	Wise
Dunn	Johnson, S. Dak.	Porter	Wood, Ind.
Kent	Kent	Pou	

So the previous question was ordered.

The following additional pairs were announced:

Until further notice:



Mr. AIKEN with Mr. HILL.  
 Mr. ALLEN with Mr. HINDS.  
 Mr. BARKLEY with Mr. HOWELL.  
 Mr. BEAKES with Mr. HUSTED.  
 Mr. BELL with Mr. JOHNSON of South Dakota.  
 Mr. BRUMBAUGH with Mr. KREIDER.  
 Mr. BUCHANAN of Illinois with Mr. LAFEAN.  
 Mr. CALDWELL with Mr. LANGLEY.  
 Mr. STONE with Mr. McCracken.  
 Mr. CANTRILL with Mr. MCKINLEY.  
 Mr. CAREW with Mr. MILLER of Minnesota.  
 Mr. CASEY with Mr. MOTT.  
 Mr. CLARK of Florida with Mr. NELSON.  
 Mr. WILSON of Florida with Mr. NORTON.  
 Mr. DALE of New York with Mr. PARKER of New York.  
 Mr. DAVENPORT with Mr. PORTER.  
 Mr. DIXON with Mr. POWERS.  
 Mr. DRISCOLL with Mr. ROBERTS of Massachusetts.  
 Mr. EAGAN with Mr. RODENBERG.  
 Mr. WISE with Mr. ROWLAND.  
 Mr. FINLEY with Mr. RUSSELL of Ohio.  
 Mr. FLYNN with Mr. SANFORD.  
 Mr. GANDY with Mr. SCHALL.  
 Mr. GLASS with Mr. ANTHONY.  
 Mr. GRIFFIN with Mr. BARCHFIELD.  
 Mr. YOUNG of Texas with Mr. BEALES.  
 Mr. HELVERING with Mr. CARY.  
 Mr. HELM with Mr. CHANDLER of New York.  
 Mr. HENSLEY with Mr. CHARLES.  
 Mr. HULBERT with Mr. COPLEY.  
 Mr. KEY of Ohio with Mr. COSTELLO.  
 Mr. KITCHIN with Mr. CRAGO.  
 Mr. KONOP with Mr. DUNN.  
 Mr. LEWIS with Mr. DYER.  
 Mr. LIEB with Mr. EDMONDS.  
 Mr. LIEBEL with Mr. FORDNEY.  
 Mr. LOBECK with Mr. FOSS.  
 Mr. LOFT with Mr. GLYNN.  
 Mr. McDERMOTT with Mr. GOULD.  
 Mr. McLEMORE with Mr. GRAHAM.  
 Mr. MAHER with Mr. GRAY of New Jersey.  
 Mr. MONTAGUE with Mr. GUERNSEY.  
 Mr. NICHOLLS of South Carolina with Mr. HAMILTON of New York.

Mr. OGLESBY with Mr. HASKELL.  
 Mr. PATTEN with Mr. HAYES.  
 Mr. POE with Mr. HEATON.  
 Mr. RAGSDALE with Mr. SCOTT of Pennsylvania.  
 Mr. SABATH with Mr. SELLS.  
 Mr. SAUNDERS with Mr. SNEEL.  
 Mr. SCULLY with Mr. SNYDER.  
 Mr. SHERWOOD with Mr. TINKHAM.  
 Mr. SHOUSE with Mr. VARE.  
 Mr. Sisson with Mr. THOMAS S. WILLIAMS.  
 Mr. SMALL with Mr. WOOD of Indiana.

On this vote:

Mr. BARNHART (for rule on Adamson resolution) with Mr. SMITH of Michigan (against).  
 Mr. OLDFIELD (for Adamson rule) with Mr. SLOAN (against).  
 Mr. SMITH of Michigan. Mr. Speaker, I voted "no," but I find that I am paired with the gentleman from Indiana [Mr. BARNHART]. I wish to withdraw that vote and answer "present."

The name of Mr. SMITH of Michigan was called, and he answered "Present," as above recorded.

The result of the vote was then announced as above recorded. The doors were opened.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question now is on agreeing to House resolution 414.

Mr. RAYBURN. And on that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 167, answered "present" 1, not voting 120, as follows:

## YEAS—145.

Abercrombie	Browne	Cox
Adair	Bruckner	Crisp
Adamson	Burgess	Crosser
Alexander	Burke	Cline
Almon	Burnett	Coady
Ashbrook	Byrnes, S. C.	Collier
Aswell	Byrns, Tenn.	Connelly
Ayres	Candler, Miss.	Conry
Blackmon	Caraway	Cooper, Ohio

Doolittle	Henry	Moon
Doremus	Holland	Morgan, La.
Dupré	Hood	Morrison
Eagle	Houston	Moss
Edwards	Howard	Murray
Esch	Hughes	Neely
Estopinal	Hull, Tenn.	Oliver
Evans	Humphreys, Miss.	O'Shaunessy
Farley	Igoe	Padgett
Fields	Jacoway	Park
Flood	Johnson, Ky.	Phelan
Foster	Jones	Price
Gallagher	Keating	Quin
Gard	Kent	Rainey
Garrett	Kettner	Raker
Glass	Lazarro	Rauch
Godwin, N. C.	Leshner	Reilly
Goodwin, Ark.	Lever	Riordan
Gordon	Linthicum	Rouse
Gray, Ala.	Littlepage	Rubey
Hamill	Lloyd	Rucker
Hamilton, Mich.	London	Russell, Mo.
Hamlin	McAndrews	Sears
Hardy	McClintic	Shackelford
Harrison, Miss.	McKellar	Shallenberger
Harrison, Va.	Martin	Sherwood
Hayden	Mays	Sims
Healin	Miller, Pa.	Sisson

## NAYS—167.

Anderson	Fess	Langley	Rogers
Austin	Fitzgerald	Leibach	Rowe
Bacharach	Focht	Lenroot	Scott, Mich.
Bailey	Frear	Longworth	Siegel
Barchfeld	Freeman	Loud	Sinnott
Benedict	Fuller	McArthur	Slayden
Bennet	Gallivan	McCulloch	Smith, Idaho
Black	Garland	McFadden	Stafford
Borland	Gillett	McKenzie	Steele, Iowa
Bowers	Good	McKinley	Steenerson
Britt	Gray, Ind.	McLaughlin	Stiness
Britten	Green, Iowa	Madden	Sulloway
Browning	Greene, Mass.	Magee	Summers
Buchanan, Ill.	Greene, Vt.	Mann	Sweet
Buchanan, Tex.	Gregg	Mapes	Swift
Butler	Griest	Matthews	Switzer
Campbell	Hadley	Meeker	Tague
Cannon	Hastings	Miller, Del.	Taylor, Colo.
Capstick	Haugen	Mondell	Temple
Carter, Mass.	Hawley	Mooney	Thomas
Chilperfield	Helgesen	Moore, Pa.	Thompson
Coleman	Hicks	Moores, Ind.	Tillman
Cooper, W. Va.	Hilliard	Morgan, Okla.	Tilson
Cooper, Wis.	Hollingsworth	Morin	Timberlake
Cramton	Hopwood	Mudd	Towner
Curry	Huddleston	Nichols, Mich.	Tradway
Dallinger	Hull, Iowa	Nolan	Volstead
Danforth	Humphrey, Wash.	North	Walsh
Davis, Minn.	Hutchinson	Oakey	Ward
Dempsey	James	Olney	Wason
Denison	Johnson, Wash.	Overmyer	Watson, Pa.
Dies	Kahn	Page, N. C.	Watson, Va.
Dill	Kearns	Paige, Mass.	Wheeler
Dillon	Keister	Parker, N. J.	Williams, Ohio
Doughton	Kelley	Powers	Wilson, Ill.
Dowell	Kennedy, Iowa	Pratt	Wingo
Drukner	Kennedy, R. I.	Ramseyer	Winslow
Ellsworth	Kiess, Pa.	Randall	Woods, Iowa
Elston	Kincheloe	Rayburn	Woodyard
Emerson	King	Reavis	Young, N. Dak.
Fairchild	Kinkaid	Ricketts	Young, Tex.
Farr	La Follette	Roberts, Nev.	

## ANSWERED "PRESENT"—1.

Smith, Mich.

## NOT VOTING—120.

Alken	Dyer	Husted	Platt
Allen	Eagan	Johnson, S. Dak.	Porter
Anthony	Edmonds	Key, Ohio	Pou
Barkley	Ferris	Kitchin	Ragsdale
Barnhart	Finley	Konop	Roberts, Mass.
Beakes	Flynn	Kreider	Rodenberg
Beales	Fordney	Lafean	Rowland
Bell	Foss	Lee	Russell, Ohio
Booher	Gandy	Lewis	Sabath
Brumbaugh	Gardner	Lieb	Sanford
Caldwell	Garner	Liebel	Saunders
Callaway	Glynn	Lindbergh	Schall
Cantrill	Gould	Lobeck	Scott, Pa.
Carew	Graham	Loft	Scully
Cary	Gray, N. J.	McCracken	Sells
Casey	Griffin	McDermott	Sherley
Chandler, N. Y.	Guernsey	McGillcuddy	Shouse
Charles	Hamilton, N. Y.	McLemore	Siemp
Clark, Fla.	Hart	Miller, Minn.	Sloan
Copley	Haskell	Montague	Small
Costello	Hayes	Mott	Smith, Minn.
Crago	Heaton	Nelson	Snell
Cullop	Helm	Nicholls, S. C.	Snyder
Dale, N. Y.	Helvering	Norton	Tinkham
Dale, Vt.	Hensley	Oglesby	Vare
Darrow	Hernandez	Oldfield	Venable
Davenport	Hill	Parker, N. Y.	Williams, T. S.
Dixon	Hinds	Patten	Wilson, Fla.
Driscoll	Howell	Peters	Wise
Dunn	Hulbert		Wood, Ind.

So the resolution was rejected.

The Clerk announced the following additional pairs:

Until further notice:

Mr. GRIFFIN with Mr. ANTHONY.

Mr. HART with Mr. BEALES.



Mr. HELM with Mr. CARY.  
 Mr. HELVERING with Mr. CHANDLER of New York.  
 Mr. HENSLEY with Mr. CHARLES.  
 Mr. HULBERT with Mr. COPLEY.  
 Mr. KEY of Ohio with Mr. COSTELLO.  
 Mr. KITCHIN with Mr. CRAIG.  
 Mr. KONO with Mr. DALE of Vermont.  
 Mr. LEE with Mr. DARROW.  
 Mr. WISE with Mr. DOWELL.  
 Mr. LIEB with Mr. DUNN.  
 Mr. LIEBEL with Mr. DYER.  
 Mr. LOBECK with Mr. EDMONDS.  
 Mr. LOFT with Mr. FORDNEY.  
 Mr. McDERMOTT with Mr. FOSS.  
 Mr. McGILLICUDDY with Mr. GRAHAM.  
 Mr. McLEMORE with Mr. GRAY of New Jersey.  
 Mr. MAHER with Mr. GRIEST.  
 Mr. MONTAGUE with Mr. GUERNSEY.  
 Mr. NICHOLLS of South Carolina with Mr. HASKELL.  
 Mr. OGLESBY with Mr. HAYES.  
 Mr. PATTEN with Mr. HEATON.  
 Mr. AIKEN with Mr. HERNANDEZ.  
 Mr. ALLEN with Mr. HILL.  
 Mr. BARKLEY with Mr. HINDS.  
 Mr. BEAKES with Mr. HOWELL.  
 Mr. BELL with Mr. HUSTED.  
 Mr. BOOHER with Mr. JOHNSON of South Dakota.  
 Mr. CALLAWAY with Mr. LAFFAN.  
 Mr. LEWIS with Mr. KREIDER.  
 Mr. CANTRILL with Mr. McCracken.  
 Mr. CAREW with Mr. MILLER of Minnesota.  
 Mr. CASEY with Mr. MOTT.  
 Mr. CLARK of Florida with Mr. NELSON.  
 Mr. CULLOP with Mr. NORTON.  
 Mr. DALE of New York with Mr. PARKER of New York.  
 Mr. DIXON with Mr. PETERS.  
 Mr. DRISCOLL with Mr. PLATT.  
 Mr. EAGAN with Mr. PORTER.  
 Mr. FERRIS with Mr. ROBERTS of Massachusetts.  
 Mr. GARNER with Mr. RODENBERG.  
 Mr. FINLEY with Mr. SANFORD.  
 Mr. FLYNN with Mr. ROWLAND.  
 Mr. GANBY with Mr. RUSSELL of Ohio.  
 Mr. POE with Mr. SCHALL.  
 Mr. RAGSDALE with Mr. SELLS.  
 Mr. ROUSE with Mr. SLEMP.  
 Mr. SAUNDERS with Mr. SMITH of Minnesota.  
 Mr. SCULLY with Mr. SNELL.  
 Mr. SHERLEY with Mr. SNYDER.  
 Mr. SHOUSE with Mr. TINKHAM.  
 Mr. SMALL with Mr. GLYNN.  
 Mr. VENABLE with Mr. THOMAS S. WILLIAMS.  
 Mr. WILSON of Florida with Mr. WOOD of Indiana.  
 Mr. BRUMBAUGH with Mr. SCOTT of Pennsylvania.  
 On the vote:  
 Mr. BARNHART (for rule) with Mr. SMITH of Michigan (against).  
 Mr. OLDFIELD (for rule) with Mr. SLOAN (against).  
 Mr. SABATH (for rule) with Mr. GOULD (against).  
 Mr. CALDWELL (for rule) with Mr. HAMILTON of New York (against).  
 Mr. SMITH of Michigan. Mr. Speaker, I voted "no." I wish to withdraw my vote and answer "present," as I am paired with the gentleman from Indiana, Mr. BARNHART.  
 The name of Mr. SMITH of Michigan was called, and he answered "Present."

The result of the vote was announced as above recorded.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 7367. An act to authorize the construction and maintenance of a bridge across the St. Francis River at or near intersections of sections 13, 14, 23, and 24, township 15 north, range 6 east, in Craighead County, Ark.

The message also announced that the Vice President had appointed Mr. JONES and Mr. MARTINE of New Jersey members of the joint select committee on the part of the Senate as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of the Interior.

The message also announced that the President had, on December 27, 1916, approved and signed bills of the following titles:

S. 7095. An act extending the time for completion of the bridge across the Delaware River, authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912; and

S. 6116. An act providing for the taxation of the lands of the Winnebago Indians and the Omaha Indians in the State of Nebraska.

#### AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918. Pending that, I will ask the gentleman from Iowa how much time he desires in general debate, if any?

Mr. HAUGEN. I would like to have one hour upon this side.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that general debate be limited to two hours, one hour to be controlled by myself and one by the gentleman from Iowa [Mr. HAUGEN].

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, it is now nearly half after 3 o'clock. Suppose we should have an understanding that this time be used this afternoon and that we will not read the bill for amendment to-day, but will meet at 11 o'clock to-morrow morning?

Mr. LEVER. Mr. Speaker, I should be very glad, indeed, to enter into such an understanding, and will agree that we shall rise at the conclusion of general debate to-day, and I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow. Is there objection?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina that general debate be limited to two hours, one hour to be controlled by himself and one hour by the gentleman from Iowa [Mr. HAUGEN]?

There was no objection.

The SPEAKER. The question is on agreeing to the motion of the gentleman from South Carolina that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Agricultural appropriation bill, with Mr. CONRY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 19359, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield 30 minutes to the gentleman from Missouri [Mr. BORLAND].

Mr. BORLAND. Mr. Chairman, there is one patriotic body which is devoting itself to the perpetuation of the great landmarks of American history—the Daughters of the American Revolution. The scope of their work is not confined to the stirring scenes and incidents of the War for American Independence, but embraces the victories, both of war and peace, by which the infant Nation gathered the fruit of its successful revolution in the conquest of the continent.

Among these achievements of the past, which have resulted in extending American civilization and American ideals from Plymouth Rock to the Golden Gate, there has been no more potent force than those historic trails or primitive highways by which the American pioneer advanced to the conquest of the wilderness. [Applause.] The interest of the Daughters of the Revolution has centered in the preservation of these historic highways, linked not by accident but by the hand of fate into a continuous route of travel from the infant settlements on the Atlantic coast to the Mississippi and into the great West.

The first link in the chain of nation building roads is the famous old Boston Post Road. On the 22d day of January, in



the year 1673, the first mail upon the continent of America was dispatched from New York to Boston. The route lay by the way of New Haven, Hartford, Springfield, Brookfield, Worcester, and Cambridge. In just two weeks after the departure of this first postman from New York he rode through Roxbury into Boston, delivered his mail in safety, and received congratulations on the wonderful progress of the age. The messenger could only stay two days in Boston, as he must hurry back in order to complete the round trip in a month. New York had only recently passed from the control of the Dutch into that of the English, and the Boston post marked the first regular communication by land between the English colonies. From New York to Mount Vernon we pass over "Washington's road," the route by which the first President traveled from his home to his inauguration. Coming up from the south is the Braddock Road, which also takes us back to the "good old colony days." The Braddock Road really began at Portsmouth, Va., and extended to the headwaters of the first streams which found their way into the Ohio. It was the beginning of the English expansion westward, the first step of which was to dislodge the French from the Ohio Valley. In October, 1753, George Washington was commissioned by the governor of Virginia, in company with Gist, to make his way over the Allegheny Mountains into the valley of the Monongahela to warn the French commander not to trespass upon English soil. He made this trip through an unknown country overrun with hostile savages who had been inflamed against the English and into the very heart of a wild region dominated by the French forts. After performing his duty with his usual quiet courage he returned to Virginia and made his report. His report indicated that England would have to fight for the possession of the Ohio Valley. The next year, 1754, he led a company over the same route and fought the French at Great Meadows. By the following year, 1755, the British Government had been aroused to the gravity of the situation and dispatched Gen. Braddock to the Colonies. Washington accompanied Braddock on his ill-fated and mismanaged expedition and suffered in the general defeat.

After the Revolution had ended and the independence of the Colonies had been achieved the disintegrating force of local and sectional feeling almost wrecked the hopes of the patriots who had laid the foundation of the infant Republic. Washington and those who shared his breadth of view realized that only the powerful bond of commercial intercourse and mutual interest would hold the Union of States together. Hence the convention for the formation of the present Constitution of the United States resulted directly from a call for the convention to form closer commercial relations between the Colonies. The new States must be linked together by highways of commerce for prosperity in peace and protection in war. The dominant note of the constitutional convention was that interstate commerce and all of its means and agencies were matters of national concern, vital to the life and growth of the Republic.

The first movement toward the expansion of frontier life across the Alleghenies led to the opening up of the highway reaching from the Atlantic seaboard into the headwaters of the first streams emptying into the tributaries of the Ohio. The most natural route of travel was Washington's and Braddock's Road of colonial days, and hence it became established as the first outlet for the surplus energy of the young Nation.

Mr. SMITH of Michigan. I notice that on that map the State of Michigan is of the same color as Canada. Is not Michigan in the United States?

Mr. BORLAND. I think that was done in deference to the State of Michigan going dry. We have given them the white ribbon. [Laughter.]

Mr. HAMILTON of Michigan. The rest of the map is yellow.

Mr. BORLAND. That is a mark of distinction, I will say to my friend from Michigan. He certainly can not object to the pure white that we have given to his State.

Mr. SMITH of Michigan. So that it belongs to the United States.

Mr. BORLAND. When the Americans began to pour across the Alleghenies and plant their homes in the great wilderness of the Mississippi Valley, a grave peril arose that those distant settlements would lose touch, politically and commercially, with their brethren of the Atlantic seaboard. In fact, a great feeling of discontent and unrest arose among the southwestern settlers at what they regarded as the neglect and injustice of the General Government. They could not ship their products to the eastern seaboard, and yet they were expected to pay their taxes and export their goods by that route. They had no protection from the Indians, the Spaniards, or the British, and yet they were expected to remain loyal to the Federal Government and be the guardians of its frontier.

Their natural outlet of commerce led to the Spanish dominions by way of the Ohio and Mississippi, and the siren song of the

Spaniard was always in their ears that the path of commercial prosperity for them was under the red and yellow banner of Castile. This danger and discontent led to the first great effort of national expansion when Jefferson acquired the Louisiana Purchase, and put both banks of the Mississippi River under the sovereignty of the United States. But the problems of development, and even those of safety, could not be solved without national highways.

Mr. FESS. Will the gentleman permit an interruption?

Mr. BORLAND. I shall be glad to.

Mr. FESS. We are all wonderfully impressed with the gentleman's eloquent presentation of this thoroughfare. The gentleman has referred to the early discontent. The portion of our country once called western North Carolina, that we now call Tennessee, was so dissatisfied that the people there organized a new State—

Mr. BORLAND. The State of Franklin.

Mr. FESS. And called it Franklin, elected John Sevier as governor, and their legislature made overtures to join Spain—

Mr. BORLAND. Yes; that is history.

Mr. FESS. In order to get an outlet, and it was through Washington's suggestion of this means of communication that that first great State was saved to the Union.

Mr. BORLAND. There is no question about that.

Jefferson was fortunate in having in his Cabinet the first good-roads enthusiast among American statesmen, Albert Gallatin.

Gallatin was a man of education and accomplishments, and the society of the gay capital of Richmond had great attractions for him. Nevertheless, in 1784, he crossed the Alleghenies to Monongahela County, Pa., to establish a home in the wilderness. It was supposed by his friends that he had buried himself and ruined a brilliant career, but out of that wilderness he created the mighty Commonwealth which, recognizing his genius as a constructive statesman, made him successively a member of the Pennsylvania Legislature, a leader in Congress, a Senator of the United States, a member of the Cabinet, and the greatest figure in American financial history. It was in the wilderness that he first met George Washington. Washington was seeking, with the aid of Indian guides, the most practicable route for a main highway across the mountains. After a day's exploring he had come to a hut in which Gallatin and other men were living, and was using Gallatin's rude bunk for a table while he made those elaborate notes of his doings which were so characteristic of Washington. Gallatin in the meantime was lying on the floor, having been evicted from his bunk. As Washington laboriously went over the reports of the different routes, Gallatin, then a young man of about 18, and with a mind that worked with the speed of lightning, jumped up and exclaimed, "That is the only route." He says that Washington slowly took off his horned spectacles and gave him a look of severe disapproval in utter silence. After Washington had gone over the reports for over another hour, he finally turned to Gallatin, took off his spectacles again, and said, "Young man, you are right."

Gallatin was the real father of the Cumberland Road, although in later years Henry Clay managed to identify himself very thoroughly with its construction. The Cumberland Road was begun in 1806 by an act of Congress signed by Thomas Jefferson.

Under the leadership of the great Pennsylvanian Jefferson recommended and Congress inaugurated the first great national highway.

It was designed to connect the territory northwest of the Ohio with the Atlantic seaboard. The first appropriation was from the 2 per cent fund, which was reserved from the sale of public lands in Ohio for the express purpose of constructing roads leading to and through the new State. Between 1806 and 1834 it was constructed under national authority and by successive appropriations of Congress. As finally located, it led from Cumberland on the Potomac River to the Ohio River at Wheeling, and thence to Columbus. It was also extended through the capital of Indiana to the first capital of Illinois—Vandalia. The design was to carry it to the capital of Missouri, at Jefferson City. The same reservation of 2 per cent of the proceeds of public lands by the Federal Government for the building of roads was made in the cases of Indiana, Illinois, and Missouri that had been made in Ohio. Thus those three States contributed to the road which was mainly constructed in Maryland, Pennsylvania, and Ohio. The \$7,000,000 which was put into the old national road was, I am free to say, the best investment of national money ever made. It paid the finest income, commercially, politically, and socially. It was the great highway of commerce and travel between the States of the Atlantic seaboard and the growing communities in the Mississippi Valley.



It increased the taxing power of the country. It furnished the necessary link between the two parts of the Nation, which prevented sectional hostility and disintegration.

Henry Clay said after the national road was completed he could reach Washington seven days sooner than it took him before. How long it took him before I do not know. If gentlemen will go to that beautiful Hermitage, near Nashville, they can see the old coach in which Andrew Jackson used to ride, it is said, between his home and Washington. It is said that Jackson could make the round trip in 28 days between Nashville and Washington over the old national pike road, and Jackson was considered a strenuous driver.

At the Mississippi River the Cumberland Road would have met the celebrated Boone's Lick Road, the first highway to penetrate the wilderness west of the great stream. In 1797, while Louisiana was still Spanish territory, Daniel Boone, under a concession from the Spanish governor, settled a small colony of Americans about 40 miles west of the Mississippi River in what is now Warren County, Mo. This was the first invasion of American settlers into the great trans-Mississippi territory. In 1804, the same year that the American Government took possession of upper Louisiana, Daniel Boone's two sons established themselves at a salt lick more than 100 miles to the westward. They were engaged in the manufacture of salt, which was floated down the Missouri River in rawhide canoes. The richness of the territory in which they were located attracted a large number of enterprising pioneers, mainly Kentuckians. The country became known as Boone's Lick country. It was in the heart of the great Louisiana territory, and the birthplace of many of the famous pioneers and explorers of the West.

In 1815 a roadway was surveyed and built from St. Charles, Mo., to Old Franklin, in the Boone's Lick country. This road was known as the Boone's Lick Road, and was the highway over which the advancing army of pioneers entered the territory beyond the Mississippi. As Boone's Lick was the farthest outpost of American civilization, it was often referred to in derision by Henry Clay. He was very fond of calling Thomas H. Benton "the statesman from Boone's Lick," although Benton was a man of education and culture and really lived in St. Louis. It was from the vigorous and enterprising community of Boone's Lick that the start was made to open up the commerce of the great Southwest. Capt. William Becknell started from that point in 1821 on what is now believed to be the first successful trip on a trading expedition to Santa Fe, N. Mex. As long as Mexico was under the rule of old Spain the policy of the rulers jealously excluded American traders and, in fact, looked upon all Americans as intruders and spies. A few Americans who found their way into Spanish territory prior to 1821 suffered imprisonment, oppression, and robbery. In 1821, however, Mexico successfully established her independence from Spain. This made possible the beginning of commercial intercourse between the two countries. The policy of Mexico was the reverse of that of Spain. She welcomed and encouraged the American traders, and even furnished them, as did our Government, with military aid as a protection against the Indians. Soon the puffing little steamboats began to come up to the great bend of the Missouri and the headquarters of the Santa Fe trade was moved westward to Independence, Mo. From thence onward for more than a quarter of a century, until New Mexico became American territory, this great historic highway, known as the Santa Fe Trail, led from the last outlying trading point in the Missouri Valley to the first great center of Spanish civilization in the Southwest. In 1824 Senator Benton had passed an act of Congress by which a survey was made of the Santa Fe Trail from Fort Osage, in Jackson County, Mo., to Santa Fe, N. Mex. I can not pause to give even briefly the history of that wonderful highway and its tremendous influence upon the destiny of the American Nation. It was the safety valve of those turbulent forces which are as common to the youth of nations as they are to the youth of man. It is one of the great historic highways of the world marking the progress of civilization.

Down the old trail went the huge Dearborn wagons loaded with fabrics and household necessities, and back came the bars of Mexican silver and the Spanish jacks and Mexican mules which have made Missouri famous in war and peace. All of the romance of the West clusters around this old trail. The names which adorn its history are those of the heroes of our boyish dreams. Many a pioneer lad of Missouri invested his little all in a stock of merchandise and made a trip across the plains to Santa Fe to seek his fortune and to establish himself in life as the young merchants of old made their ventures by ship to the Orient. The story of Dick Whittington, so poor in purse but large in hope and ambition, with his venture of his sole possession on the ship bound for China, which proved so

successful that it made him thrice mayor of London, was repeated in large or small degree in the life of many a western youth of ante bellum days. So familiar had the trail become to the men of the West that when war was declared between the United States and Mexico in 1846 two regiments of Missouri volunteers marched down the old trail without maintaining a base of supplies and almost without orders or instructions. They seized the whole of New Mexico, invaded Chihuahua, and marched on to the conquest of California. More has been said of the daring of this expedition than of its military wisdom, but those who criticized it from the standpoint of military tactics overlooked the fact that every private in these Missouri troops knew the Santa Fe Trail as he knew the path from his father's cabin to the nearest mill. The Nation owes the ease and success of this great conquest of the West to the influence of the Santa Fe Trail in enlarging the vision of the western pioneer. Gen. Kearney, who commanded the expedition to New Mexico, led a fragment of his forces over the old Spanish trail to San Diego and thence up to the capitol of California at Monterey, and this formed the last link in the great transcontinental highway which planted the Stars and Stripes by the blue waters of the Pacific. [Applause.]

Mr. HICKS. Will the gentleman yield for a question?

Mr. BORLAND. I yield to the gentleman from New York.

Mr. HICKS. What about the trail that runs from Dodge City to La Junta, and then, I presume, strikes out at Las Vegas?

Mr. BORLAND. The Santa Fe Trail originally ran by a place called Bents Fort, which was near the present La Junta; and when Senator Benton got the bill passed for the United States survey of the trail the survey was carried by Bents Fort. But to save time the traders cut across the desert south of the great bend of the Arkansas. It was a very dangerous place. They had to travel about 80 hours without water, and it was highly dangerous for a novice, but the experts were able to cross this way and to save about three and one-half days' time in getting into Santa Fe.

There is so much of interesting history about the trail that I would be very glad to give the gentleman a great deal more of it, but I am simply endeavoring at this time to arouse his interest in it.

A few years earlier than this the battle for Oregon had begun. Under our treaty of joint occupation with Great Britain, which had existed from 1819, the whole question finally resolved itself into which nation should have the most bona fide settlers on the ground when the last extension of the joint occupation terminated. It was a race for settlement. Great Britain had no highway across the frozen fields of Canada, and she must command the approach by sea. We had no highway across the Rocky Mountains from Missouri to Oregon, but once the American mind was inflamed with the need of saving the Oregon country we had the men who could make such a trail.

From Independence, Mo., the trappers and teamsters led the emigrants westward 40 miles and then struck boldly toward the Northwest across 2,000 miles of virgin wilderness. At the place where the Oregon Trail branched off from the Santa Fe Trail, a little west of the Missouri border, there appeared a single guidepost with the words "Road to Oregon" written thereon. It was in this offhand way that the immigrant was informed that 2,000 miles away, over the course of the Rockies, through the long deserts, and across the Sierras lay the wonderful empire of the lower Columbia.

In 1842 a thousand emigrants crossed from Independence to Oregon; in 1843, 2,000. In 1844 the Nation was aroused by the battle cry of "Fifty-four forty or fight!" and before another year had rolled around Senator Benton had concluded his treaty with Great Britain, established the present line of Canada, and given us the three great States of Washington, Oregon, and Idaho. One length of the historical highway, therefore, represents the Oregon Trail and its connection from Portland to Puget Sound.

When we found the wealth that lay in California and the Argonauts or gold seekers started out on that trail from the Missouri River, dotting with their white bones their course across the desert, they went forward to Fort Hall and then down to San Francisco. Thus we had the gold-seekers' trail by which the fevered hosts invaded the State of California; and so, with the completion of the link up to Puget Sound, the Olympian Highway, we have the international highways which have marked the destiny of our country.

It is these international highways that the Daughters of the American Revolution have interested themselves in preserving. They are as sacred to us as battle fields. They record the steady triumph of peace. These trails were not built like the roads of ancient Rome or other empires, to bring in the revenue



of distant and unwilling provinces. They were built in order that the torch of American civilization might be carried into the wilderness. [Applause.]

Only in rare instances did they resound to the tread of martial hosts; but day after day, year after year, was heard the music of the creaking wagon and the lowing ox. All of the mighty host who crossed these highways were armed not alone with the rifle but with the ax and spade. They took with them not the ammunition wagon and artillery, but herds of live stock and bales of household goods, implements of husbandry, and the women and children—the evidences and guaranties of a future State, the earnest of permanent settlement and the basis of an American home. [Applause.]

The long line was dotted with the cabins of the pioneers—the outposts of civilization. And ever as the stars came out in the blue depths of heaven above they looked down into the green expanse of prairies beneath and caught the faint spark that reflected back somewhat of their own heaven-born light. Each tiny spark in the sea of green marked the lighting of another hearth fire in an American home—another altar erected to country and to God. [Applause.]

Mr. BROWNE. Will the gentleman yield for a question?

Mr. BORLAND. I yield to the gentleman from Wisconsin.

Mr. BROWNE. The gentleman has made a very convincing argument from a sentimental standpoint, but I should like to ask him whether he thinks this road would accommodate as many people as other roads built with this national-aid money, and also how many States out of the 48 this Santa Fe trail would go through?

Mr. BORLAND. Now, I want to say to my friend from Wisconsin [Mr. BROWNE], if this were primarily a commercial proposition, his question would be more pertinent than it is. It would be a question of where the national highway should be built which would accommodate the largest number of people. I have hoped to approach it from a different standpoint, and to voice what I believe to be the sentiment of the organization behind this particular road. I want to say to the gentleman that there are no road engineers in the world like the Indian and the buffalo, and where the Indian and the buffalo have marked out the road is the cheapest, quickest, and best line of transportation. This road is the natural highway across the continent. It will be found by actual demonstration to contain fewer grades, shorter distances, and longer seasons for open travel than any other possible highway across the United States. I know what the gentleman has in mind. There are a large number of very influential and wealthy citizens along the Lincoln Highway. I am strongly for it. I wish we had a dozen or more great national highways. But if we had, in my judgment, that fact would in no way detract from the importance, the sacredness, and the beauty of these great highways which are really a part of the Nation's history.

I think that the travel by land, and especially in our own country, with all of its beauty, with all of its wealth, with all of its historic associations, is just in its infancy. I have little patience with those who go abroad to spend their time and money when they can see something always beautiful here. We are at the very threshold of becoming acquainted with our own country. I would not assume to tell to this body much of historical importance that is new; and yet I venture to say that much that I have said would be new to the average crowd in America. Yet it ought not to be. It ought to be understood by every schoolboy. It is only by giving the people an opportunity to see the great development of our land that that can be possible.

We have not begun to explore the historic and artistic possibilities of our own country, but we are on the very eve of the most tremendous international traffic and transcontinental travel that this Nation has ever seen. Motor travel is still in its infancy, but we already grasp something of its tendency. It means the linking together of town and country, of State and State, of coast and coast. It means the exploration of all the quaint corners and romantic spots of our land. It means that the wealth of beauty with which nature has endowed our great country shall be opened to the people; that the playgrounds of our national parks shall be brought to our doors; that we shall learn to know and love America first; and that our dower of health, wealth, and beauty shall enrich the life of our own people. Within the great confines of our country is to be found all of climate, natural grandeur, or scenic beauty to satisfy the most poetic and artistic taste. But better than all this is the fact that these old trails are milestones of heroism. Their history is so deeply embedded in our national life that we can take no view of our progress as a Nation which leaves them out of account. [Applause.]

Mr. EMERSON. Will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. EMERSON. Are the roads that the gentleman has traced on the map now in existence?

Mr. BORLAND. They are largely in existence, although not improved in a uniform way. How generally they are marked I can not say, with the very latest information. The National Road has been very generally marked and so has the Santa Fe Trail. As to the Oregon Trail I am not so sure, although our old friend, Ezra Meeker—probably a constituent of the gentleman from Wyoming, Mr. MONDELL—persists in driving his ox team over it once a year, and will, I suppose, until he drops in his tracks.

Mr. MEEKER. Will the gentleman yield?

Mr. BORLAND. Yes.

Mr. MEEKER. The gentleman from Missouri is mistaken. Mr. Meeker now travels in his automobile.

Mr. BORLAND. Oh, I realize that my friend from Missouri travels in an automobile, but I was referring to another Mr. Meeker. [Laughter.]

Mr. MEEKER. No; I am referring to Ezra Meeker; he has thrown away his oxen and now travels in an automobile.

Mr. MONDELL. Will the gentleman from Missouri yield?

Mr. BORLAND. With pleasure.

Mr. MONDELL. The man that my friend refers to, Ezra Meeker, is not my constituent; he lives in the State of Washington and is a constituent of the gentleman from Washington [Mr. JOHNSON]. Ezra Meeker traveled over the Oregon Trail among the very first travelers who passed over it; and in connection with what the gentleman from Missouri has just said in regard to the Oregon Trail I want to say that the Oregon Trail has been very well marked entirely across the State of Wyoming by an organization composed largely of the Daughters of the American Revolution. The trail is marked entirely across the State. I want to emphasize what the gentleman said a moment ago in regard to the wonderful accuracy with which these old trails were located over the lowest passes and through the most desirable section of the country.

Mr. BORLAND. The gentleman is familiar with the South Pass.

Mr. MONDELL. The Oregon Trail across Wyoming is the shortest distance across the State, entirely on a water grade, and across the Rockies at the lowest pass in the entire Rocky Mountain chain within 500 miles; and, curiously enough, it is the only natural pass across the Rocky Mountains through which a railroad has never been built.

I did not have the pleasure of listening to the whole of the gentleman's address, but has the gentleman made any suggestion, or does he purpose to make any suggestion, relative to the method of raising the funds for the construction of these trails?

Mr. BORLAND. Yes; I will say that I have had for several sessions a bill pending in the House, H. R. 4755, which authorizes the Federal Government, after the trail has been constructed through a certain State, to reimburse the State for one-half of the cost of building it and making it a military highway.

Mr. KINCHELOE. Will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. KINCHELOE. I understood the gentleman to say that the Santa Fe trail west of Kansas City is well marked.

Mr. BORLAND. It was not originally, but it is improved now, not with paving as the gentleman would understand modern improvements.

Mr. KINCHELOE. Does that extend clear across to California?

Mr. BORLAND. It extends clear west to California, dropping off here at Phoenix.

Mr. SHALLENBERGER. If the gentleman from Missouri will permit.

Mr. BORLAND. I yield.

Mr. SHALLENBERGER. The Oregon trail from the Kansas line to Wyoming is marked with granite markers placed there by the Daughters of the American Revolution in Nebraska, and paid for by an appropriation by the State of Nebraska.

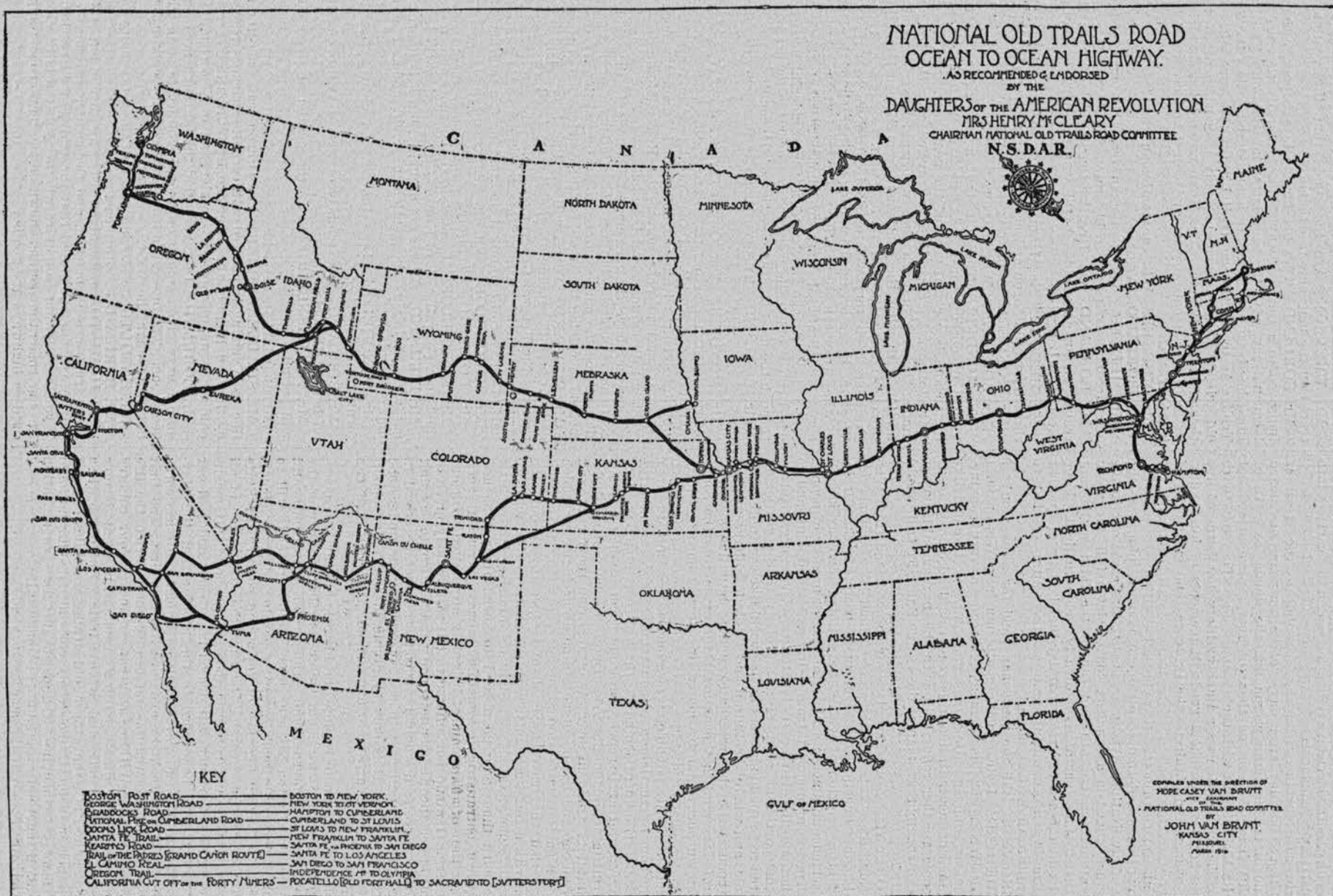
Mr. BORLAND. I am very glad that through my own ignorance I have given gentlemen an opportunity to state what has been done. The interest in it is widespread not only in Nebraska but all through the West.

Mr. HAMILTON of Michigan. Will the gentleman yield?

Mr. BORLAND. With pleasure.

Mr. HAMILTON of Michigan. The gentleman has stated that these trails are all marked, and the gentleman from Wyoming [Mr. MONDELL] has stated that the trail is well marked across Wyoming. I want to inquire whether substantially all of these lines or roads that he has shown on the map are now highways, used as highways and roads.







Mr. BORLAND. Yes; but, of course, of different widths and not always in the true location.

Mr. HAMILTON of Michigan. And some of them have not been improved?

Mr. BORLAND. Yes; but in some of them bridges and culverts are not in place, and much remains to be done.

Mr. KETTNER. Will the gentleman yield?

Mr. BORLAND. With pleasure.

Mr. KETTNER. Is he aware that the State of California is at the present time building a concrete road from San Diego to Yuma, over the old trails, which is more than 50 per cent completed?

Mr. BORLAND. I am glad to have that information.

These trails have not come about by accident. They are the true index of the Nation's progress—the life history of a people. That they are linked in a complete chain from ocean to ocean is not a matter of chance, but each link represents an epoch in the growth of this Republic. They are the autograph of a nation written across the face of a continent. [Applause.]

The Boston Post Road united the infant Colonies; Braddocks Road led to the valley of the Ohio; the Cumberland Road saved to us the Southwest; the Southwest gave to us Louisiana Province, and the restless frontiersmen of that new domain gave us Texas and carried our flag to New Mexico, California, and Oregon.

All the skill of modern science has never been able to devise or discover within the confines of the United States better natural routes of transportation than these primitive old trails. On them the infant feet of the Nation have trod in its ambitious enterprise to grasp the full fruits of its opportunities.

The Revolution, which made us a Nation, gave us also the opportunity for the conquest of a continent and set before us the manifest destiny which should extend the feeble and struggling fringe of settlements upon the bleak Atlantic coast across 3,000 miles of virgin territory to the wondrous South Sea and bring it all under one flag, with one civilization, one language, one literature, and one law. [Applause.]

It is to the credit of the Daughters of the American Revolution that, true to the great historic inspiration of their body, they are devoting themselves to the preservation and perpetuation of these historic trails and that they have a right to expect to enlist the enthusiastic support of the Nation in this great purpose. [Applause.]

Mr. HAUGEN. Mr. Chairman, I yield 45 minutes to the gentleman from North Dakota [Mr. HELGESEN].

Mr. HELGESEN. Mr. Chairman, the high cost of living is a subject which, during the two years just past, has developed from a fruitful topic for the joke maker to one of the most serious questions that has ever confronted the people of this Nation. We can not readily name a single instance where the actual necessities of life—food, fuel, clothing, light, and so forth—have not advanced in cost by leaps and bounds, until the average man feels that to live is beyond his means and to die is equally expensive.

Small wonder that under these conditions the thoughts of the people are concentrated on some possible effective remedy for the existing state of affairs, and it is equally easy to comprehend why in seeking for such an effective remedy many hysterical and ill-considered theories are advanced, the adoption of which would create an even more deplorable condition than now exists.

To this latter class belongs the proposed embargo on food supplies, advocated by a few worthy people, although chiefly by those who have not broadened their outlook sufficiently to consider or realize the disastrous consequences which would necessarily and quickly follow the adoption of such a measure.

Spasmodic and recurrent interest in the subject of embargoes on food products from one country to another, and even from one part of the same country to another part, has manifested itself from time to time since the first days of systematic agriculture and food production. The immediate effect of an embargo of any description is defined by Joseph Alden, in his Science of Government, in these words:

An embargo forbids all ships and vessels from leaving any port in the country for any foreign port so long as the embargo continues.

About 120 years ago France and Great Britain, then at war with each other, made such unwarranted and unjust depredations on our vessels bound for foreign ports that in 1794 an embargo was established by our Government on exports to Great Britain and her colonies.

This embargo was intended as a retaliatory measure against the attacks of Great Britain on our neutral foreign commerce, but, like other embargoes which were made at various times in the two decades immediately following, this one proved ineffective and unsatisfactory, and served only to bring financial disaster on our domestic commerce. We have no reason to

believe that an embargo on foodstuffs to-day would lead to any better results than were achieved by a like measure 120 years ago; indeed, owing to our greatly increased population, the probability is that the consequences of such action would be even more unfortunate than those of 1794.

The only power to levy an embargo on food products in times of peace rests with Congress. Such action may be taken by Congress at the solicitation of the people and approved by the President, or it may be taken at the request of the President and later approved by him. We know that a number of petitions have been received by the Members of this Congress requesting such an embargo, and we also know that many petitions and letters have been received protesting vehemently against such drastic and ill-favored legislation.

Consider for a moment who, if anyone, would be benefited by the proposed embargo and who would be injured thereby.

The only persons to profit, even temporarily, would be the speculators, and their profit would be short lived. At the same time, I think it is not too broad a statement to say that eventually all classes of people in this great Nation would suffer should this Congress allow itself to be overpersuaded or influenced to declare an embargo on foodstuffs; but the people who would receive the first, greatest, and longest enduring injury are the farmers of the country. Such action, therefore, in addition to its other objectionable features, may properly be termed class legislation aimed directly at the farmers of the United States and against their best interests. Anything which injures the farmers as a class injures the people at large, and whatever benefits the agricultural interests of the Nation reacts in favor of the whole country.

Many persons who do not favor an embargo on all foodstuffs welcome with joy the proposition to place an embargo on wheat, claiming that thereby the cost of bread to the consumer will be reduced. The chief argument of such theorists is that we have at present an unprecedented demand for wheat for export; that this export demand has caused the farmers to demand an exorbitant price for their wheat, hence, as the theorists claim, the resultant high price of a commodity which is literally the staff of life to thousands of people. They claim that if exports of wheat were stopped the farmers would be obliged to accept a lower price for their wheat and normal prices for bread would automatically follow. This argument sounds momentarily plausible, but it is not based on facts or truth.

It is true, however, that two years ago the American farmer received only 70 to 80 cents per bushel for his wheat. Equally true is it that on December 10, 1916, North Dakota wheat sold at \$1.70 per bushel. But this price, while in round figures a dollar more than the farmer received two years ago, is not all clear profit to the farmer. We must not overlook the fact that in the two years just past other things than the price of food products have advanced. The farmer to-day is obliged to pay higher prices for his labor, lumber, twine, farm machinery, clothing, coal, lighting facilities; in fact, everything that the farmer uses, aside from what he can produce himself, has advanced in price.

The cost of production of a bushel of wheat having thus advanced rapidly, is it not just that the farmer should receive a higher price for his product? Why should the producer of the raw material, whose profit at best is merely nominal, be made the target for a species of class legislation which has not even the merit of serving to attain the object it seeks; that is, the reduction of the price of bread?

Mr. Chairman, the wheat grower is not the principal agent responsible for the high cost of bread to-day, nor is he the agent who makes the greatest profit on his product. One of the leading bakers in the District of Columbia made the statement to the Housekeepers' Alliance on December 9, 1916, that during the past two years the cost of operating a baking plant has increased 78 per cent. We all know to our sorrow that the price of bread has recently been increased 92 per cent, and yet this prominent baker mournfully declares that the "bakers are losing 14 per cent off their profits of two years ago." If, with an increase of 78 per cent in expenses and an advance of 92 per cent in the price received for their bread, the bakers are still losing 14 per cent off their profits of two years ago, it would be interesting to know what was considered a fair percentage of profit at that time. These are startling figures, and I expect to be met with the statement that I am mistaken; that the price of bread has only advanced from 5 to 6 cents per loaf. But it is a simple mathematical problem; that is, we now pay 6 cents for 10 ounces of bread, whereas we formerly paid 5 cents for 16 ounces of bread. The advance in price is, therefore, as I have just said, 92 per cent.

It has also been pointed out by one of the most prominent milling concerns in the United States that the housewife may



reduce the cost of bread to her family 50 per cent if she does her own baking. This is of great interest, for if, under the necessity of buying her flour at retail and paying a proportionately higher price for fuel wherewith to do the baking, as well as paying other prices incidental to the work which are as much higher than the baker's as retail prices are higher than wholesale prices, if, with all these additional expenses the housewife can still reduce the price of her family's bread 50 per cent by baking it herself, what must be the percentage of profit made by the baker from whom she buys her bread?

The flour should cost the baker or housewife but very little more than the farmer receives for his wheat, since the by-products of the wheat are generally understood to cover nearly, if not all, the entire cost of milling and transportation.

The Department of Agriculture is authority for the stated proportion between wheat flour and the amount of bread made therefrom. The department states:

The experiments of the Office of Home Economics have to do with household methods, and in bread-making tests we have as yet had opportunity only to consider the usual flours known as "bread flours," which are probably blends. We get about 1½ pounds of bread from a pound of flour by household methods. The Bureau of Chemistry states that commercial reports published by bakers estimate that with modern methods, which involve more or less fat and sugar, 325 pound loaves (before baking) can be obtained from a barrel of hard-wheat flour, and 300 pound loaves (before baking) from a barrel of soft-wheat flour. During baking each loaf loses about 1½ ounces in weight. These are average values for both sorts of flour, and flours vary somewhat in the amount of water which they will take up and retain.

The best grade of flour used by the baker to-day costs the baker in the District of Columbia not to exceed \$8.50 per barrel of 196 pounds, which, according to various recent tests, will produce 470 loaves of bread of the size now sold as standard loaves. This allows for evaporation in baking. These loaves weigh 10 ounces each, and retail at 6 cents per loaf, thus making one barrel of flour cost the consumer \$28.20.

At the extreme market price for the best wheat to-day the farmer receives \$1.70 per bushel for his wheat. I may add that since these figures were obtained the price of wheat has dropped, and proportionally the price of flour, yet the price of bread is steadily maintained, and does not, as might be expected, follow the downward trend of wheat and flour. This makes the extreme price to the farmer for a quantity of wheat sufficient to make a barrel of flour, or 4½ bushels, only \$7.65. The total spread, therefore, between the farmer and the ultimate consumer equals the difference between the \$7.65 received by the farmer and the \$28.20 which the consumer pays, a difference of \$20.55 per barrel. This, it seems to me, is sufficient evidence to prove that the present high cost of bread is not due to our export trade, nor to any exorbitant price received by the farmer for his wheat, but to an artificial inflation of the spread between the farmer's receipts and the ultimate consumer's outlay. It is clear, therefore, that the responsibility for the high price of this particular commodity can not be charged to the wheat grower, but must be placed to the credit—or discredit—of the speculator and middleman. One of these middlemen, and the one who, in my opinion, seems to be the guilty culprit, is the public baker. For instance, as I have already stated, the baker in the District of Columbia pays not to exceed \$8.50 per barrel for the best grade of flour which he uses. This is only 85 cents per barrel more than the farmer receives for a quantity of wheat sufficient to make that barrel of flour, therefore the spread between the time the wheat leaves the farmer and is delivered to the baker in the shape of flour is not abnormally great. Now, let us see how that same barrel of flour increases in price in the baker's hands. With due allowance for evaporation, that barrel of flour, which costs the baker, say, \$8.50, is made into 470 loaves of bread weighing 10 ounces each, which are sold to the consumer at 6 cents per loaf, thus bringing the cost of the barrel of flour for which the baker paid only \$8.50 up to \$28.20 to the consumer.

The spread in price, therefore, on a barrel of flour from the time it comes into the baker's hands until it goes from him to the consumer amounts to the difference between \$8.50 and \$28.20, or \$19.70, a gain of more than 230 per cent. Therefore it is not the farmer—whose price, though higher than usual, is not unreasonable—nor the grocer—whose profit is also small—but the bakers who are responsible for the high price of bread to-day. Abolish the speculative element in marketing food products and the exorbitant profits of the middleman—in this case the baker—and the prime cause of high prices is removed.

Mr. RAINEY. Mr. Chairman, will the gentleman yield?

Mr. HELGESEN. Yes.

Mr. RAINEY. Has the gentleman investigated the price of bread abroad?

Mr. HELGESEN. I come to that a little later. I have not investigated it as thoroughly as the gentleman indicated in his speech he had.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HELGESEN. Yes.

Mr. COOPER of Wisconsin. The gentleman spoke about the exorbitant profits that the baker who pays \$8.50 a barrel for flour and retails four hundred-odd loaves, which he makes out of that barrel of flour for \$28?

Mr. HELGESEN. Yes.

Mr. COOPER of Wisconsin. What does it cost the baker to make those 400 loaves of bread? What is the net profit?

Mr. HELGESEN. I do not know what it costs; but I want to put the bakers upon the defensive and have them show to the people that it actually costs them \$20 to bake a barrel of flour and distribute it. I do not believe that they can make any such showing. They have never attempted it in the past and I do not believe they can now.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. HELGESEN. Yes.

Mr. TILSON. Outside of the labor charge, which goes into the making of the bread, and the flour, what other elements enter into the cost of the bread?

Mr. HELGESEN. Yeast, salt, and occasionally a little shortening, but not a great deal.

Mr. TILSON. And the gentleman thinks that those elements do not cost a sufficient amount to add materially to the cost?

Mr. HELGESEN. Not materially.

Mr. RAINEY. Mr. Chairman, will the gentleman yield?

Mr. HELGESEN. Yes.

Mr. RAINEY. Has the gentleman investigated the efforts of the National Association of Bakers to increase the price of bread, the circulars they are sending out at the present time, and the assessments they are levying upon their members in various sections of the country, so as to pay expenses of a nation-wide publicity campaign to convince the American public that bread ought to be 6 cents a loaf?

Mr. HELGESEN. I have not investigated that particular thing, but I know there is such a propaganda before us.

Mr. REILLY. Mr. Chairman, will the gentleman yield?

Mr. HELGESEN. Yes.

Mr. REILLY. Has the gentleman made any investigation as to whether or not the bakers in recent times have increased their charges out of proportion to what they used to do formerly?

Mr. HELGESEN. I have, yes; and I will come to that a little bit later.

Some time before the outbreak of the European war the statement was made by Mr. J. R. Cahill, official investigator for the Board of Trade of England, that he did not understand how his people in England could buy bread in London for one-third the price that Chicago consumers paid when the English bread was made from American wheat. Mr. Cahill added:

You pay 5 cents for 14 ounces of bread, while we get a loaf weighing 64 ounces for 10 cents, made out of your own wheat. Our 4-pound loaf never costs more than 12 cents, and usually only 10 cents.

Thus, according to this English investigator, we were paying twice as much for our bread in times of peace as the English people paid for theirs, while both were made from American wheat; and even now, when England is undergoing the stringency of so-called "war prices," the same proportion holds good, for while England has recently advanced the price of bread to 4½ cents per pound, thereby nearly causing a bread riot, we are obliged to pay 9½ cents per pound, or a little more than double the price of the same quantity in England.

This is unquestionably an injustice to the American consumer, but it also proves that the price that the farmer receives for his wheat has nothing to do with the high price of bread, since both English and American bread are made from American wheat, and English people are now in time of war eating bread at a lower price to the consumer than we were forced to pay at a time when peace prevailed throughout the civilized world.

Therefore I ask why select the farmer as the victim of an attempt to reduce the price of bread by placing an embargo on shipments of his products to markets which were open to our wheat surplus for years before the European war? Official figures show that during the first nine months of 1915, a war period, exports of farm products increased about 122 per cent over the preceding year and showed about the same percentage increase for the first nine months of 1916, while on the other hand exports of manufactured articles have increased about 260 per cent. Why should the farmer alone bear the burden of an embargo, when the exports of the products of our factories have increased twice as much as the exports of farm products,



and when those same manufactured products have also advanced in price to the American farmers and other consumers to an alarming extent?

Mr. Frank Andrews, a leading statistician in the United States Department of Agriculture, in commenting on the price of wheat at the present time, said that we may eliminate as factors the European war, the drought in Argentina, the decrease of acreage in the Australian States, the estimated reduction in the Canadian crop, and still find a sufficient reason for the unusual price of wheat in the fact that where we harvested 10 bushels in 1915 we harvested only 6 bushels in 1916.

The National Grange, than whom no more intelligent class of people exists in this broad land, at its meeting in this city in November, 1916, after careful consideration and wide discussion of the subject, declared that the higher prices of farm products are due principally to poor crops in certain sections, and to the greatly increased cost of those things which the farmer is obliged to buy. The organization officially protested against embargoes on food products and declared that if any embargoes are to be placed they should be on manufactured products, particularly on munitions of war.

A proposition to place an embargo on arms and munitions of war would immediately meet with a howl of protest from the largest manufacturing concerns in the United States to-day, as well as from the immense iron and steel interests which control the output of those industries. But it is manifestly no more unjust to place an embargo on the product of our great iron, steel, and munition factories than it is to restrict in a like manner the sale of the raw material produced by the man on whose shoulders, more than on any other, rests the welfare of the Nation—the farmer.

The proposed embargo is not acknowledged by its promoters to be in any sense a retaliatory measure, but the claim is made that it looks objectively to the conservation of food supplies in this country, with the erroneous idea that thereby with an increased home supply for home consumption prices would at once decline. Such a result, however, would be only temporary and would not strike at the root of the evil. To use a farmer's illustration, it is like trying to eradicate the plant pest known as the wild morning-glory by merely plucking its blossoms, while its roots are left to thrust their octopuslike and destructive branches underground in every direction. Furthermore, no legislative act could be more productive of foreign complications than such an embargo.

We proclaim ourselves a neutral Nation, and proudly declare that our neutrality must be preserved at whatever cost. Yet an embargo on food products to foreign countries at war with each other would be not only a grossly unneutral act but an inhumane one as well. In times past we have sent relief ships loaded with foodstuffs and clothing to suffering Belgium; we have opened our pocketbooks and our granaries to starving China and Russia in times of famine; we have done our share to alleviate the hunger and misery of plague-stricken India; how, then, can we consistently continue to send agents of death in the shape of arms and munitions of war to nations engaged in the most terrible struggle of the ages—whether or not we believe the cause of either belligerent to be a righteous one—and at the same time deny the women and children of those struggling nations the means to sustain life? Is this our boasted civilization? Is this greedy, self-centered policy the vaunted light with which our liberty illumines the world? All other considerations for the moment aside at a time when we alone of all the great nations of the world are at peace, we can not take such action as would be contrary to that great destiny of our country which our forefathers saw as in a vision and which we as a Nation have endeavored to realize.

If we are not influenced by humanitarian principles—which, however, I am loath to admit—we ought to consider questions of policy. Some of the advocates of an embargo claim that the embargo on food products should be imposed for purely domestic reasons. Mr. Chairman, I am of the opinion that "for purely domestic reasons," if for no other, we should refrain from placing such an embargo. If it is imposed, it will be considered as a distinctly unfriendly act by some of the warring factions of Europe, and will be an open invitation to reprisal of a drastic and expensive nature on the part of those factions. This statement is not made as an attempt to frighten the people of this Nation with an imaginary bogey, for we should find that such reprisal would materialize into practical and tangible methods with which we are not at present prepared to cope. Under such conditions not a vessel could leave our Atlantic ports if Great Britain desired to prevent it. Not a ship could sail along our coasts if the power that rules the seas decided otherwise. Are we ready to uphold our embargo by force? Are we not courting trouble at a time when we should be doing all in our

power to maintain peace? No one can deplore the high cost of the necessities of life more than I, yet I am still of the opinion that it is better to pay our present exorbitant prices for bread and other commodities were it necessary to do so than to unnecessarily bring on ourselves the retaliative measures of a country or countries driven mad by hunger and desperation.

Furthermore, we do not live for the moment alone. We must consider the future. When the war is over—and it must end some time—prices will seek their normal level. If an embargo on wheat and other food products is imposed, we should then have on our hands not only the normal surplus with which we always have to reckon, but, in addition, an abnormal surplus caused by our voluntary closing of the markets of the world to our products at prevailing prices.

We may argue that an embargo would lead to a lessening of wheat production for a season, thus maintaining a normal supply. This, too, is a specious argument, for if the wheat-growing area of the country is greatly reduced, as it is sure to be in case of an embargo on wheat, we shall be brought face to face with the very condition which we claim to be striving to avoid, namely, a shortage of supply and consequent high prices. Why is it better to pay high prices because of an actual shortage than to pay high prices when the supply is abundant and we are receiving high prices as well as paying them?

An embargo on wheat means that we can not send our wheat out of the country. It also means that a proportionately smaller amount of money will come into this country and be placed in circulation, to the ultimate disadvantage of all the people of the Nation.

But at this time statistics show that no present or imminent shortage of wheat exists in the United States. There is an old saying that "Figures don't lie, but liars use figures"; nevertheless I wish to present a few figures for your consideration. At the beginning of the present crop year we are reported to have had 150,000,000 bushels of surplus wheat carried over from the crop of the preceding year. These figures may be too small, but they are unquestionably not overestimated. The Bureau of Statistics of our Department of Agriculture has estimated the wheat crop of the present year at 607,000,000 bushels, and we know from past records and experience that these figures also are conservative to a high degree. Assuming, however, that they are correct, we had a total available supply of 757,000,000 bushels of wheat of which to dispose. Our own requirements for seed and for home consumption are estimated by the Department of Agriculture to be not over 625,000,000 bushels. This left us a net surplus of 132,000,000 bushels of wheat to export, without inflicting hardship or shortage on the people of our own country. Some of this has, of course, been exported.

Mr. FARR. Will the gentleman state how much?

Mr. HELGESEN. I could not tell the gentleman exactly, because the figures seem to differ, but there is still a large surplus to export.

Mr. FARR. How much a week are we exporting now?

Mr. HELGESEN. I do not know.

Mr. FARR. I understand it is a million bushels a day.

Mr. HELGESEN. It would be manifestly unjust, unfair, and un-American to force our own producers to hold the balance of this surplus of 132,000,000 bushels of wheat in American storehouses, when they could receive a fair price for it in the markets of the world, merely for the purpose of attempting to force the price of bread lower than it is to-day.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HELGESEN. Certainly.

Mr. MANN. Sometime during December I was waited upon by a gentleman, whose name I do not recall, who said he represented the National Association of Bakers, if that is the name of the association. He said to me positively—he said that he knew, and, of course, I do not say that he did—that all of the wheat in the country would be exhausted by the end of February unless we forbade the exportation of wheat. Is that correct?

Mr. HELGESEN. Well, we know that, according to the Department of Agriculture and the Department of Commerce, it has not been exhausted. Whether it will be or not, of course, I could not say.

Mr. MANN. I thought I could, and I did say, but I wondered whether I was correct.

Mr. HELGESEN. But I made an investigation recently here in the city, and I find they are selling loaves of bread now at 5 cents that weigh 12 ounces, and they are selling loaves of bread at 6 cents that weigh 8 ounces and 10 ounces. I found one baker who said that when wheat was rapidly going up in price and flour following he secured and purchased 1,000 barrels of flour, at \$11 a barrel. Wheat began to drop, and flour dropped in proportion until it is only about \$8.50 a barrel at the present



time. He said, "I am making bread out of the \$11-a-barrel flour, which is \$2.50 more than I could buy it for now, and I am still selling 12 ounces of bread for 5 cents." How can he do that on \$11 flour if the others can not make it out of \$8.50 flour? It is not the price of flour. It is the arbitrary price put upon bread by the bakers, and that price is not uniform, because in this very city to-day they are selling different-sized loaves at different prices, and if they were all forced by the price of flour to raise the price of their bread, it would be pretty apt to be somewhat uniform.

If such a means would accomplish the desired result, the arguments in favor of an embargo measure might have some weight, but while large quantities of grain and other food products are held by speculators, an embargo on wheat or on any other article of food might cause a temporary slump in prices to the consumer, but it would work untold hardship to the farmer. The speculator, or, to speak more plainly and forcibly, the gambler in food products, and the middlemen, not the farmer, are responsible for the high cost of food. Since the first corner in wheat was established in Egypt nearly 4,000 years ago by one Joseph, who gathered corn as the sand of the sea and thrifly stored it away in Pharaoh's granaries, until all countries came into Egypt to buy corn, down to the present time when the great manipulators of Chicago and New York regulate the stock tickers to suit their own ends, the speculator has been the bane of normal prices and reasonable profits.

Again, as I said in the beginning of my remarks, it is not only the price of wheat and the price of bread that have advanced. Almost every article of consumption that we can name has shown an advance, in some instances even proportionately greater than the increase in the price of wheat.

I shall insert herewith a table showing the prices which the farmer received in 1913 on a few staple commodities and the prices which he receives on those same commodities to-day; also the prices which the consumer paid in 1913 and the prices which the consumer pays to-day on the same commodities:

*Prices the farmer received and the consumer paid in 1913.*

Commodity.	Price the farmer received.	Price the consumer paid.
	<i>Per bushel.</i>	<i>Per bushel.</i>
Potatoes.....	\$0.25	\$1.00
Onions (red).....	.50	2.00
Turnips.....	.25	1.60
Beans.....	2.10	3.20

*Prices the farmer received and the consumer paid in 1916.*

Commodity.	Price the farmer received.	Price the consumer paid.
	<i>Per bushel.</i>	<i>Per bushel.</i>
Potatoes.....	\$1.24	\$1.60
Onions (red).....	1.35	4.00
Turnips.....	.50	1.60
Beans.....	4.80	11.20

In 1914 cotton prices were so low that American planters appealed for aid to the Government, and received it. At the present time cotton is higher than ever before, and if it continues to soar we shall be obliged to wear silk, because cotton will be too much of a luxury for anyone but a plutocrat. No doubt speculative influences help to force cotton values far above the basis warranted by the law of supply and demand; yet, notwithstanding the fact that the necessity of people for clothing is second only to the necessity for food, a large proportion of our present exports of cotton are eventually used for the manufacture of gun cotton and similar war munitions instead of for clothing, while the wheat that we export is used to make bread for the people in those war-ridden countries, who can not live without food either in time of strife or peace.

Shoe manufacturers have recently made the tentative suggestion that an embargo be placed on leather in order to reduce the price of shoes, which in some instances are 50 per cent higher than two years ago. This would be just about as consistent an act as that of the Democrats when they placed hides on the free list in order to bring the price of shoes in reach of the poorest man.

Mr. RAINEY. Mr. Chairman—

The CHAIRMAN. Will the gentleman from North Dakota yield to the gentleman from Illinois?

Mr. HELGESEN. I will.

Mr. RAINEY. I would call his attention to the fact that the Democrats did not do that. It was done in the Payne-Aldrich bill.

Mr. HELGESEN. It was done in the Payne-Aldrich bill?

Mr. RAINEY. Yes; the Republicans did that.

Mr. HELGESEN. Then my friend Bryan is wrong, and that was one time when the Republicans yielded to the Democrats and to Democratic doctrines. The result was a failure.

An illustration of the remarkable inconsistency of the arguments used by our Democratic friends to sustain their position was shown in a speech recently made by William Jennings Bryan at Grand Forks, N. Dak. Mr. Bryan said that when it was proposed to place hides on the free list a protest was made against such action on the ground that it would render our domestic hides practically valueless in competition with foreign hides. Mr. Bryan added with great gusto and emphasis that instead of reducing the value of domestic hides the hide was worth more to-day than the whole steer was before the tariff was removed. He failed to state or recall, however, that the prime object in placing hides on the free list was to reduce the price of shoes to the poor man, who now has to pay nearly double what he formerly paid for a pair of shoes. The remedy applied at that time to reduce the price of shoes was a failure; but the placing of an embargo on wheat to reduce the price of bread would prove a greater failure.

Carpenters and builders have also suggested the feasibility of an embargo on lumber in order to lessen the cost of houses and other buildings. Under modern conditions a bed is considered a necessity, and some of the bedding manufacturers feel that they should be protected by an embargo on their raw materials. The farmer is of the opinion that if an embargo is due anywhere, it should not be on his products, but on farm implements and farm machinery, by the use of which he is enabled to raise his products, and on munitions of war. Such an embargo would give the farmer more and cheaper laborers and would tend to reduce the cost of his production; and if cheap wheat is wanted, that is one way to get it. In fact, every argument that can be brought forth in favor of an embargo on food applies with equal force to other articles of commerce, including arms and munitions of war. The only consistent position which we can adopt, therefore, on the favorable consideration of an embargo will lead us to say that no article of commerce shall leave the shores of America to go to any foreign country. An embargo on any one article or class of articles is gross discrimination against the producers of that article.

I may add that while the city dweller has to pay an increased price for most of the articles which he buys, the wages and salaries of the workers in the city have in most instances made a reasonable advance in the last decade, so that the city dweller does not feel the high cost of living as stringently as might be imagined. Not so with the farmer. Not only have his expenses of production increased, but the price to him of every article which he is obliged to purchase has likewise advanced. He is therefore the loser at both ends of the line. Furthermore, the price which the farmer now receives for his wheat is only temporary, while the increased wages of the city dwellers are to a large extent permanent, so that while the farmer who was able to harvest a crop this year may seem to reap an advantage, that advantage is only for this year, or possibly next year, or, at the most, until the war closes, when his commodities will drop back to their former level, while his city brother continues to receive his advanced wages. Therefore, instead of placing on the farmer the added burden of an embargo on his wheat, we should look for a means to alleviate the difficult situation which he, more than any other man in the country, is obliged to face.

Our present methods of distribution can not be laid at the farmer's door any more than can the necessity for storage facilities caused by the ever-increasing tendency of city people to buy in small quantities and live from hand to mouth, instead of pursuing the more liberal policy of purchasing in larger quantities which was possible a generation or more ago.

An embargo of any kind is a restriction of commerce, a restriction of commerce is a restriction of production, and a restriction of production means unemployment for many and low wages for those who are employed.

Economists and others who have studied the situation agree that our present export trade of some \$5,000,000,000 a year, due to the European war, is the only source of even the artificial prosperity which we experience under the present administration. Reduce this export trade by an embargo, and we immediately curtail the purchasing ability of our people, retrenchment of expenses ensues, and consequent ruin to such commerce as we now possess.



Briefly to sum up the matter: The proposed embargo measures should be dropped. We can not reduce the high cost of living by one embargo or by many. If one embargo is levied, others must be, and such action could result only in disaster.

When the farmer receives only \$1.70 per bushel for his wheat, and that in a year of small crops and high cost of production, when that moderate price which the farmer receives is increased more than 230 per cent before a loaf of bread reaches the ultimate consumer, it is, I repeat, manifestly unjust and unfair to cripple the energy and activity of the American farmer by ill-timed and short-sighted legislation. Give him a square deal and an equal chance with other producers of the Nation; eliminate the immense and unwarranted profits of the gamblers and middlemen who practice their nefarious manipulations between the farmer and the consumer, and the farmer will continue in the future, as he has done in the past, to produce sufficient food for our own Nation and do his glorious share toward feeding the people of the world. [Applause.]

Mr. Chairman, I yield back the balance of my time.

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, I desire at this time to say a few words about the cotton situation in the United States. The cotton crop of 1916 will be 750,000 bales short of the 1915 crop. We have already exported 900,000 bales more than we exported up to this time a year ago. The cotton mills of the United States have consumed in the last 12 months 7,000,000 bales. This year our cotton mills will consume 7,000,000, and maybe 7,500,000, bales. It is safe to say that we will need 7,500,000 bales of this crop for spindles in the United States and 7,000,000 for the spinners abroad, making the demand about 14,500,000 or 15,000,000 bales. We have a crop of less than 11,500,000 bales to draw that supply from. You can readily see, Mr. Chairman, that cotton is going to be very scarce before the summer comes. Cotton will be selling for 20 cents a pound in the next few weeks; maybe 22 or 23 cents by the 4th of July.

As soon as the spinners of the United States realize that many farmers in the boll-weevil sections of the South are simply abandoning all efforts to produce cotton under boll-weevil conditions, they will wake up to the fact that this year they are going to be confronted with a cotton crop of less than 10,000,000 bales. Germany is buying cotton here now and storing it in the United States. It is believed by many that the war will come to an end in the summer of this year, and if it does gentlemen need not be surprised to see cotton selling for 30 cents a pound. [Applause.]

I remember reading about what happened regarding cotton when the War between the States was over. My father sold cotton for 50 cents a pound, and the highest price, I believe, paid for cotton following that war was \$1.26 a pound. It is true that cotton and wool, silk and linen, all have brought high prices following the wars of the past. My reason for saying that cotton will go to more than 30 cents per pound when the war is ended is based upon this idea: Austria and Germany have their mills intact. They are not injured—just idle now—but ready to run when the war is over. As soon as the war is over Germany and Austria are coming into the market for a considerable part of our cotton crop. They consumed at the time the war commenced annually 3,000,000 bales of American cotton. Now, Mr. Chairman, if gentlemen will just add that demand to the present demand of 14,000,000 bales of cotton produced in the United States, they will have an interesting situation. [Applause.] In 1917, with a demand for 17,000,000 bales and a crop of less than 10,000,000 bales to meet it, you are bound to see cotton prices go higher. Cotton of the Egyptian variety grown in Arizona is now selling for 48 and 50 cents a pound, and, in view of the high price now paid for this character of long-staple cotton, 24 and 25 cents a pound is not too high for the average grade produced in the United States. [Applause.]

Finished wool is now selling at \$1 a pound, and the wool supply is nearly exhausted. Do you wonder that cotton has sold for 21 cents, when long-staple cotton of the Egyptian variety is selling for 48 and 50 cents and wool at \$1 a pound. [Applause.]

Mr. Chairman, in the boll-weevil sections of Alabama the cotton crop of 1916 was a failure. Counties that used to make 30,000 bales annually made less than 5,000 bales last year.

Mr. FESS. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. FESS. What success are they having in eradicating the boll weevil?

Mr. HEFLIN. So far nothing has been discovered that destroys the boll weevil, but the Department of Agriculture has found that by certain cultural methods you can produce some cotton under boll-weevil conditions. This is done by using an early variety of seed, planting early, and cultivating rapidly.

If we have wet weather in the cotton belt during the months of July and August, it is exceedingly difficult to produce any cotton in the boll-weevil section. A great many of our farmers are producing velvet beans, peanuts, hay, peas, alfalfa, and crops of that character. The coming of the boll weevil may, in the long run, be a blessing to the South. His coming has certainly caused our farmers to turn their attention to farming of another character. For the next year or two, at least, the cotton crop is going to be very short, and many farmers are going to be embarrassed before they get adjusted to the new conditions. The boll weevil is spreading rapidly and he will be in new territory this year, and the farmer who produced cotton last year may not be able to produce any this year, but there is one thing certain, if he will hold on to the cotton that he now has he will get a good price for it. [Applause.] Mr. Chairman, I regret to see the disposition on the part of certain eastern and New England interests to place an embargo on cotton. [Applause.] The cotton farmers of the United States suffered greatly on account of destructive prices in 1914 and these concerns offered no aid or sympathy then. The situation is changed now, and they want to pass a law to deprive the farmer of fair prices and place him at their mercy, and I am opposed to it. [Applause.]

If the spinners of the United States want cotton, let them go into the market and buy it, and let the farmer get the benefit of the profit that he is entitled to. [Applause.] If Congress would not pass an act in 1914 to protect cotton farmers from destructive prices caused by conditions created by war, under what principle of justice and fair play would Congress now pass an act to prevent the shipment of cotton to foreign countries and thus place the producers of the United States at the mercy of speculators and spinners? [Applause.]

Mr. TILSON. Will my friend yield?

Mr. HEFLIN. I will.

Mr. TILSON. For some years we have been appropriating money for the destruction of the boll weevil. Will the gentleman state very briefly just what progress is being made in the eradication of this pest, and what we could do about it if we were inclined, as I think Congress has shown it is right along, to help further toward the destruction of this fearful pest?

Mr. HEFLIN. I have already touched upon that. I prefer to use the time allotted to me in a further discussion of the cotton supply and demand. I want the people of the United States who need cotton to realize the necessity of going into the market now and buying their supply, for, in my judgment, they are not going to succeed in getting Congress to reduce the price. [Applause.]

Mr. DAVIS of Texas. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. DAVIS of Texas. A word about the boll weevil. We have learned to shift our cotton to the other side of the field, and where he hibernates in the root bottoms we leave him to eat weeds instead of cotton. However, the farmer has learned this, that you can not freeze him out except when he is in the embryonic stage. When he is full grown and in shape he will go into hibernation. You can "cook him up" in the ice, and then thaw him out like a fish in the Klondike region. But he will wiggle next spring when the insects wake up. We are trying to trace him back and get his ancestry and find where he generates in his ancestry, as they do in the case of the grasshopper. They deal with the grasshopper by killing his grandfather before he comes. [Laughter.]

Mr. FESS. Mr. Chairman, will the gentleman yield there?

Mr. HEFLIN. Yes; for one question.

Mr. FESS. We are making pretty large appropriations for the eradication of the boll weevil. Are we justified in them?

Mr. HEFLIN. Oh, yes.

Mr. FESS. We are getting somewhere?

Mr. HEFLIN. Certainly, and we must keep up the fight until we do discover something that will destroy him.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield there?

Mr. HEFLIN. Yes.

Mr. SMITH of Michigan. I understood the gentleman to say that there will not be as much cotton raised this year as was raised in former years. To what does the gentleman attribute that? The increase of price would seem to warrant a larger crop.

Mr. HEFLIN. As I have said, the cotton crop this year will be small because of the presence of the boll weevil in the Carolinas, Georgia, and Alabama.

Mr. SMITH of Michigan. The decrease has been on account of the boll weevil?



Mr. HEFLIN. Yes; the tremendous decrease has been caused by the boll weevil.

Now, Mr. Chairman, I want to discuss another situation in the cotton belt. We have tried to regulate the cotton exchanges so that real cotton and not fictitious stuff would be the real power behind all transactions on the exchanges and the present law. The one that I helped to frame and pass is the best law ever written on the subject. [Applause.] It is not perfect, but it is a great improvement over the old law written by the agents of the exchange. [Applause.] But, Mr. Chairman, another evil in the cotton trade has come to my attention. This one is not carried on in the exchange but it is rather an exchange "aid society" operating in the spot markets of the South. Certain cotton spinners in the United States and representatives of foreign spinners, it is charged, have entered into an agreement to divide out the territory in the South into counties and districts, and that the agent or buyer of one concern will not bid for or buy any cotton in the territory of the other.

It is high time that the farmer, the merchant, and the banker should stand together in concerted action demanding a fair price for cotton. They should hold and refuse to sell until the price is satisfactory. [Applause.]

Mr. REILLY. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. REILLY. Has the cotton farmer of the South been getting the whole benefit of the high price of cotton recently?

Mr. HEFLIN. He did not in 1915; but in 1916 a great many of the farmers sold their cotton for 18, 19, and some for 20 cents a pound. But it is true that the great bulk of the crop has passed out of the hands of the farmer.

Mr. REILLY. Another question.

Mr. HEFLIN. Yes.

Mr. REILLY. If the price of cotton will go to 25 cents a pound, as the gentleman suggests, will the farmer get the benefit of it?

Mr. HEFLIN. No. The bulk of the crop is out of the hands of the farmer. A great many merchants in the South have the cotton, and they will hold it, because they are able to do it.

In conclusion, Mr. Chairman, I want to say that Congress would be guilty of a crime against the cotton producers of the United States if it should place an embargo against cotton. [Applause.]

In 1914, when we were here pleading for relief of cotton farmers, when cotton values were destroyed by conditions created by a foreign war, certain eastern Congressmen sat here and looked wise and said it was a situation over which they had no control and that we would have to grin and endure it. Now we can say to these same gentlemen that this situation was created by the war and the boll weevil. It is, as you said in 1914, a situation over which Congress has no control and you will just have to grin and endure it. [Applause.]

The increasing demand for cotton and the small supply of cotton have caused good prices to obtain this season, and I appeal for fair play and competitive buying. This is all that we ask, and common justice demands that we have it. [Applause.]

Mr. LEVER. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. REILLY].

[Mr. REILLY addressed the committee. See Appendix.]

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. BENNET].

Mr. BENNET. Mr. Chairman, coming from the chief seaport of the United States, I assume that I may be pardoned for making a few observations on the Shipping Board appointed recently by the President under an act passed by us at the last session, and with particular reference to the personnel of the board.

William Denman, of San Francisco, appointed for six years, is, so far as I can discover, and it is the fact, an admiralty lawyer of ability, and that particular appointment is not subject to reasonable criticism.

James B. White, of Kansas City, Mo., is a lumber merchant of that large and growing and important city, and outside of the fact that a member of the Shipping Board, which, presumably, has to do with ships, ought possibly to have some knowledge of ships, I do not know that there is any criticism that can be passed on Mr. White. I understand that he is a man of standing, reputation, and ability.

The remaining three men are the ones that have to do with ships, and I want to call the attention of the House to what the President has done so far as the men that know anything about ships are concerned. The purpose of the United States Shipping Board is supposed to be to build up the United States shipping industry. Who is and always will be our greatest competitor? Why, Great Britain. What has been the experience of Bernard N. Baker and John A. Donald and Theodore Brent?

John A. Donald, born in Glasgow, removed to this country after he came to mature years, has been, and still is, president of a British steamship line, the Donald Line.

Bernard N. Baker was at the date of his retirement from activity in the steamship business president of the Atlantic Transport Co., another British line, and Theodore Brent is a former employee of Bernard N. Baker in the steamship business.

So we have appointed to a board which is to control \$50,000,000 men whose affiliations are entirely British. I have good friends connected with the shipping industry. I have good friends connected with the French lines, I have good friends connected with the German lines, but I say very frankly that if the control of this shipping board had been turned over to the representatives of the French line, or the Fabre line, or to the Hamburg-American, or the North German Lloyd Co. I should have felt that the outrage to the country was of the same character, though possibly less in degree, because our competition is more greatly with Great Britain. Now, what is there in addition about John A. Donald? I was not here in the Sixty-third Congress, I think it was, when they passed the shipping bill, but I understand that bill provides a literacy test for seamen, and that the purpose was to take the Chinese and other foreigners who could not speak the English language off our ships. John A. Donald is the greatest representative of the opposite view who runs ships in and out of New York Harbor. On every one of his seven ships every possible place that can be filled by a Chinaman is filled by a Chinaman. Further than that, the British have a literacy test in their law somewhat along the same lines as ours, with this exception, that it shall not apply to subjects of Great Britain. Therefore every man on John A. Donald's seven ships, every Chinaman, has to certify that he is a native of the island of Hongkong. Mr. Chairman, it is a polite fiction, and John A. Donald is not only running British ships manned by Chinamen, but unquestionably British ships manned by Chinamen who are on the British ships in violation of British law.

That is not all of John A. Donald. This is not his first connection with the United States Government. When I was in Congress before, the attention of Representative J. Van Vechten Olcott and myself was called to a peculiar condition in the Navy Department. On the bottom of every big ship that sails the salt seas there is put what is known as antifouling composition paint. It is expensive, but a necessary paint.

There were two rules in the Navy Department that deserved more than passing attention we thought. One was that only two companies could be admitted into the competition for antifouling composition paint. One was the Holzapfel Co. and the other was the Rathjen, both of foreign origin, although, I think, having ancillary American incorporation. The other rule, without parallel in any department, was that once a bottom was painted with Holzapfel or Rathjen paint, thereafter, so long as that ship remained in the Navy list, it should be painted with Holzapfel or Rathjen paint. Mr. Olcott and I thought those two rules had a slimy suggestion of graft. We went to the then Secretary of the Navy and demanded that American companies should have the right to compete to put American paint on American ships in competition with these foreign companies. The Secretary of the Navy acceded to our reasonable request. They opened the competition to American companies. At the next competition five companies bid. An American company got the contract, and the price that they bid was about 50 per cent of what the Holzapfel and Rathjen people had been charging the Government—and incidentally those companies had been making the Government pay twice as much for antifouling paint on the bottom of their warships as they were selling the Government the same paint for to put on the bottom of the Panama Line where there was not that restriction. This outside company—I have forgotten the name—got the contract. What was the result? From that time to this the United States Navy Department has never advertised another competition for antifouling composition paint. The moment the monopoly of the Holzapfel and Rathjen Cos. was broken the Navy Department commenced to make its own paint, and they are making it yet, what they call standard composition antifouling paint, at the navy yard at Norfolk.

At about the same time my attention was called to some rather peculiar proceedings in connection with the ships of the Panama Line at Panama. On the recommendation of the Panama Commission the War Department had issued an advertisement for antifouling composition paint there, and they had asked for bids on four times as much paint as they could use in any one year.

I laid all the facts before Mr. Jacob M. Dickinson, then Secretary of War, who made an investigation and set the whole procedure aside, because he did not like the smell of it. Cur-



ously enough, thereafter the Panama Commission found out it could make composition paint for the bottoms of their ships, and they ceased advertising. I went down to the office of the commission while the thing was on, and the Army officer in charge said, "Mr. BENNET, you act as though you thought our purchasing department was crooked." I said, "That is what I do think," and, subsequently, Members of this House may recall that members of the purchasing department of the Panama Canal Commission were indicted for graft.

Now, who was the president of the Holzapfel Paint Co. at that time, and who is the president of the Holzapfel Paint Co. at this time? John A. Donald, the man to whom has been turned over the shipping interests of this country.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. BENNET. Yes.

Mr. FESS. I just wanted to ask a question whether it was the same man who has been put on this new board?

Mr. BENNET. That is the man, the president of a British steamship line, who employs Chinamen in violation of the British law, and who created such a situation six or seven years ago in relation to the American Navy that Republican Representatives protested to a Republican department and got his monopoly broken up; and, of course, there were all sorts of ugly stories about the way his company had retained its monopoly under both Republican and Democratic administrations, because he had had these two Navy orders under both administrations.

But I want to say to this House that the man who is the president of a corporation that has been engaged in a game like that ought not to be intrusted with the power of spending \$50,000,000 of the Government's money in the purchase of ships. [Applause.] Why, New York City and the rest of the world is full of ships. There are ships and ships, and if this board is constituted as at present appointed, they will have all sorts of ships offered to them, from friends, from foes, and from neutrals, as one might say, old ships and new ships; and I want to put it plainly up to the Congress of the United States whether they want a man to pass on the expenditure of the money of the United States Government who has the record in connection with this Government that John A. Donald, president of the Holzapfel Paint Co., as I have shown, has.

Mr. GREENE of Massachusetts. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Massachusetts?

Mr. BENNET. I will.

Mr. GREENE of Massachusetts. I want to ask the gentleman if it is not within the power of the United States Senate to reject that nomination?

Mr. BENNET. It is, and they ought to reject it.

Mr. GREENE of Massachusetts. It is for them to take the responsibility if they do not.

Mr. BENNET. The gentleman is quite correct. Not only are the shipping interests of New York City opposed to Mr. Donald, who lives in New York City, but the masters, mates, and pilots of that city are, and I quote from an article in the New York Herald of January 1, an interview with Arthur N. McGrory, secretary of the Neptune Association, composed of masters and mates of ocean and coastwise steam vessels, which fought many years for the provisions of the seamen's act and the shipping act, as the article says. It says further:

In scanning the names nominated for confirmation by the Senate we are simply amazed. We had expected to find on the commission at least one representative of American shipping.

Not one out of the five men is representative of American shipping, and we have 8,000,000 tons of American shipping.

Instead, what do we find? An admiralty lawyer from San Francisco, Mr. Denman, a Democrat, is given the long term of six years; Mr. Baker, of Baltimore, a Democrat, an ex-president of the Atlantic Transport Line, a British steamship company operating under the British flag, is given the five-year term; Mr. Donald, of New York, a Democrat, now president of the Donald Line, another British steamship company operating under the British flag, is given the four-year term; Mr. White, of Kansas City, Mo., a lumber merchant, a Republican, is given the three-year term, and Mr. Brent, of New Orleans, a Republican and a railroad official, is given the two-year term.

The steamships of the Donald Line, with the exception of the British licensed officers, are manned exclusively by Chinese in the deck, engine, steward, and cook departments, even the petty officers being Chinamen. Are we justified in expecting that the only two members of this commission having any steamship experience, whose whole environment has been British, can fulfill the purposes of the act, and can organized labor, which has fought for 20 years to have enacted provisions of law to prevent the employment of Chinese aboard our ships, find any consolation from the appointment of a member of this commission who has been one of the most notorious offenders against their cherished ideals? If Mr. Donald is interested in the development of our merchant marine, why has he, as a patriotic American citizen, failed to avail himself of the act of August 18, 1914, which permitted him to transfer his foreign-built ships to the American flag? Possibly he is waiting until our laws can be further amended so that those foreign-built ships can be admitted to our coastwise trade.

The appointment of a Republican from Louisiana sounds like a joke. The shipping act provides for drastic regulation of steamship rates, and the selection of a railroad official for this purpose baffles my comprehension. I had always thought, and orthodox economists so teach, that water transportation is the chief regulator of rail rates where both are in competition. The reverse process is indicated in this selection. Is it any wonder that Mr. Vanderbilt, the president of the National City Bank, the greatest financial institution in the New World, recently designated the United States as a Nation of economic illiterates?

The appointment of a lumberman would seem to indicate that Mr. Dollar, president of the Dollar Steamship Co., who is primarily a lumberman and only secondarily a steamship operator, and who has been the most bitter opponent of organized labor in steamship affairs, would at least be well pleased with this selection. However, as Mr. Dollar has transferred some, if not all, of his ships from the American flag to the British since the passage of the seamen's act, which interfered with his Chinese crews, he may not be interested in this.

[Applause on the Republican side.]

Mr. REILLY. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield the balance of my time to the gentleman from Mississippi [Mr. CANDLER]. [Applause.]

The CHAIRMAN. The gentleman is recognized for four minutes.

Mr. CANDLER of Mississippi. Well, Mr. Chairman, I would not undertake to occupy so much time as that at this late hour in the afternoon—

Mr. HAUGEN. How much time have I remaining, Mr. Chairman? I will be glad to yield my time to the gentleman.

The CHAIRMAN. The gentleman has two minutes remaining.

Mr. HAUGEN. I yield that to the gentleman.

Mr. CANDLER of Mississippi. That is very generous and kind, and I appreciate it very much and thank my friend from Iowa. I was just going to remark that I would not undertake at this late hour in the afternoon to occupy such an extensive length of time as is allotted to me as announced by the distinguished chairman if I had not received this enthusiastic reception immediately upon taking the floor. [Laughter.] And, further, I would not do so even then if I did not see the seats filled with Members of Congress and the galleries overflowing, all of whom would be disappointed if I did not speak [laughter], because the full attendance in the gallery and on the floor is because it was understood, I am sure, that at this moment I would take the floor and address the House and close the general debate on this important bill. [Applause.]

The bill under consideration in my judgment is one of the most important and one of the most beneficial to be presented to the House during this session of Congress. There is no industry in all the land that amounts to as much to the people at large and is more for their benefit, their welfare, and their prosperity than the agricultural business engaged in by the American people. [Applause.]

The truth of it is that this great and beautiful country of ours is in a general sense one great farm, for the reason that every other interest in the United States, of whatever character it may be, is absolutely dependent upon the prosperity of the farm and the production of the agricultural products of the land. Take that away and all the superstructure that stands above it and rests upon it will crumble to the ground, and there will be nothing in the world, from an industrial standpoint, left but desolation, want, misery, and woe. The railroads, factories, and every kind of business would be paralyzed and cease operation, but whenever prosperity permeates this country and reaches the farm and goes into the pockets of the farmers and the producers from the soil, then the prosperity that emanates from that source, like the sunshine of heaven, goes throughout the length and breadth of the land and makes the people happy, joyful, and buoyant. [Applause.]

This bill appropriates, Mr. Chairman, this time the sum of \$25,694,685, which, together with the annual fixed appropriations, will amount in round numbers to about \$36,000,000. When you take into consideration the great development in the country and the marvelous expansion in this land, and the prosperity such as has never been seen before, all adding to the wealth of the people of the United States, this is a comparatively small sum to appropriate to protect, carry on, and develop the great agricultural interests of America. [Applause.]

A comparatively few years ago, in 1887, I believe it was, the total wealth of the people of the United States of America was, in round numbers, \$89,000,000,000, but this country has developed so rapidly that between that year and the present time the wealth of the people of the United States of America has increased to the enormous sum of \$228,000,000,000, and, as I said a moment ago, all the prosperity and development that has gone



forward with such a marvelous and rapid stride rests entirely and absolutely upon the development of the agricultural interests of the land, brought about by the faithful and patriotic service rendered by the tillers of the soil. They are the "salt of the earth" and the foundation of all real and genuine prosperity. [Applause.]

Mr. LEVER. Will the gentleman yield?

Mr. CANDLER of Mississippi. I will, with pleasure.

Mr. LEVER. It may also be interesting to state that the year 1887 is coincident with the establishment of the Department of Agriculture.

Mr. CANDLER of Mississippi. That explains largely why this great increase in wealth of this country has taken place, because the work that is being done by this great department is benefiting all the people of the country more, in my judgment, than the work of any other department of this great Government. [Applause.] Let me call your attention to this clipping from the Commercial Appeal, a great newspaper published in Memphis, Tenn., showing our wonderful prosperity. Here it is:

1916 RECORD FOR BUSINESS—WAS GREATEST 12 MONTHS IN COUNTRY'S HISTORY—ALL LINES PARTICIPATE.

The following review of the financial year is furnished the Commercial Appeal through the courtesy of J. J. Thornton, local representative of Bradstreet's agency:

"Nineteen hundred and sixteen was a wonderful year, but that characterization does only partial justice to this latest and greatest 12 months in the country's history. It was said of 1915 that adjectives were lacking fitly to portray that year's progress. So it may be said of 1916, in turn, that comparatives fail to describe the repeated examples of high records set up in nearly all lines of trade and industry, only to be displaced in turn and relegated to the rear by new and hitherto unheard-of totals of industrial production and trade volume, of bank clearings and building expenditure, of transportation earnings on land and on water, of export and import trade in merchandise, in gold and in silver, of mineral output and ship construction, of prices of all commodities, and of high levels of wages paid in most industries and of dividends paid by enterprises of all kinds. It would be far easier, in fact, to single out the lines that did not break records than to attempt to enumerate the multitude of directions in which trade expanded, industry set up new milestones of progress, and finance sought wider fields of exploitation.

"In 1915 the boggy of troublesome liquidation of our own stocks and bonds held abroad was finally laid, and we began to offer a market here for foreign securities; but in 1916 we definitely secured title to our position as a creditor nation, loaned freely to the entire world, and, despite hitherto unequalled purchases by us of belligerent securities, became possessed of gold imports in a volume such as was never before seen. To the spur of foreign war demand, represented by unheard-of quantities of food, munitions, and general merchandise sold abroad, was added a new and record-breaking volume of imports, largely of raw materials to feed our industrial machinery, while at the same time purely domestic trade grew beyond the most sanguine dreams of our merchants and manufacturers."

Here is another clipping from the same paper:

WAS PROSPEROUS YEAR—FARMERS, MANUFACTURERS, MERCHANTS, AND RAILROADS MADE MONEY.

NEW YORK, December 31.

Happy New Year. The well-meant prosperity in all ways and things is of unusual significance as 1917 dawns to the business men of this United States. To the very great majority 1916 was prosperous beyond dreams of avarice, much of that prosperity resulting from the awful war, but it came to the lowest-waged laborer and thence upward through all classes of society to the greatest capitalists.

Too often prosperity is measured by stock-exchange experience, doubtless because these are better advertised than is the case with any other business. But that is not prosperity itself, only its reflection.

Farmers and their dependents, practically 40 per cent of the population, never had a better year in spite of short crops, due to tremendous prices received for what was grown. No crop was an exception.

Manufacturers never saw such a year, with most earning from 50 per cent to 150 per cent, and even greater on capital employed, so that their end of the year reports to mercantile agencies are truly astounding in revelation of real prosperity.

Merchants had similar experiences.

Railroads made more than \$1,000,000,000 net, surpassing anything of record.

Financial institutions all made money.

Only the salaried man was on the outside, and to him in more cases than ever before came the welcome "bonus," so that he, too, had at least cause of thanksgiving.

All this is history, but leads up to prospects for the happy new year. Therefore, what are the chances that this opening wish will be granted to all the people?

Nothing worth while can be accomplished without money and credit. Up to two years ago this country had some money and could extend some credit. Beginning with 1917, it has more money, including gold, than any nation, and it has turned completely around from debtor to creditor in fabulous amounts. It has a real banking and currency system—thanks to the Federal reserve act—which assures to every manufacturer and merchant easy money, and to any amount for any legitimate enterprise. Moreover, for the first time there are to be foreign agents of these reserve banks to finance export trade, and hence to stimulate it. "Acceptances" negotiable in normal times at any financial center of the world have come into use for the American man, and some time this year he will appreciate what it means. Just now it is new to him. So much for general trade.

Big business provided for as above and heretofore even it had to take chances where it now enjoys certainty, how about the middle stratum—the farmer and his dependents? Provision has just been made for him in the farm-loan banks. Heretofore he has been at the mercy of his local bank and subject to the agony of the maturing mortgage which he can

not pay. Hereafter he can get his money at a reasonable rate. Crops were bad in 1916. There have never been two years in succession of bad crops in this country. Possibilities are here for a happy new year to the farmers.

Taking it all in all, from the farmer to the capitalist, prospects never were better than on this January 1 for a truly happy new year.

[Applause.]

So, Mr. Chairman and gentlemen of the House, when you take into consideration the great wealth of our people, this enormous accumulation of wealth, and increase of wealth that has come to the American people, and then take into consideration the fact that the prosperity of all depends upon the productions of agriculture, the sum of \$36,000,000 for the purpose of developing, for the purpose of fostering, for the purpose of encouraging all the business of the people of this country who make possible this enormous wealth of \$228,000,000,000, is a very small sum indeed. [Applause.] We are the richest Nation in the world, and growing richer all the time.

As was stated by the gentleman from Wisconsin [Mr. REILLY] a moment ago, those who are on the farm are the ones who are helping the country more in a material way than any others. As he further said, it is necessary to encourage the development of the farm and secure that development in order to make it profitable, and in order to accomplish that result it is necessary to furnish the means that are being used by this department; and I agree with him that many more millions could be expended profitably through the Department of Agriculture if greater appropriations were made by Congress, which would greatly benefit every man, woman, and child in this great country. [Applause.]

The increases of the appropriations for the Department of Agriculture have not been in proportion to the development of the country. I have always been an economist. Gentlemen who have served with me upon the floor of this House during the years I have been here and who have doubtless noticed, I dare say, my votes, know that I have voted in the interest of economy and have voted only for those measures which were necessary for the welfare of the people in the different sections, and, for that matter, in all sections of our great country. I have never given my consent to or my vote for appropriations of any character or legislation of any kind unless I was convinced that the appropriations and legislation were for the good of the people, for the development of the country, and for the best interests of this Nation. [Applause.] But during the years I have served in this House I have advocated increased appropriations for the Department of Agriculture. [Applause.] I believe now if some of the other appropriations were reduced and the money applied to the work of this department the money would be better and more profitably spent. The Agricultural Committee, of which I am proud to be a member, gave this bill very careful study. The expenditures provided for it are conservative and necessary, and I trust that the bill will in its entirety receive the enthusiastic and generous support of the membership of this House. Vote for it, and when you do so be assured you are doing that which is best for your own constituents, my constituents, and all the people throughout this magnificent Republic. [Great applause.]

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CONRY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 19359) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1918, and had come to no resolution thereon.

LEAVE OF ABSENCE.

The SPEAKER. The Chair lays before the House the following personal request, which the Clerk will report.

The Clerk read as follows:

WILKES-BARRE, PA., January 4, 1917.

Hon. CHAMP CLARK,

Speaker of the House of Representatives, Washington, D. C.:

I request leave of absence for a few days, on account of important business.

JOHN J. CASEY.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.



The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Friday, January 5, 1917, at 11 o'clock a. m.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. KETTNER: A bill (H. R. 19617) to incorporate the National Association of Life Underwriters; to the Committee on the Judiciary.

By Mr. Watkins: A bill (H. R. 19618) providing for the survey of Dorcheat River in Webster, Bienville, and Bossier Parishes, La.; to the Committee on Rivers and Harbors.

By Mr. HILLIARD: A bill (H. R. 19619) to amend the Federal farm-loan act by providing for the establishment of the thirteenth Federal farm-land bank district, to be composed of the States of Colorado, Wyoming, Utah, and New Mexico, and to establish a Federal land bank therein at Denver, Colo.; to the Committee on Banking and Currency.

By Mr. SMITH of Texas: A bill (H. R. 19620) to authorize the sale of the plant of the Garden City reclamation project, Kansas, and for other purposes; to the Committee on Irrigation of Arid Lands.

By Mr. LLOYD: A bill (H. R. 19621) to authorize the payment of the postage by the sender of mail matter on replied thereto at regular rates and 50 per cent in addition thereto; to the Committee on the Post Office and Post Roads.

By Mr. BORLAND: Resolution (H. Res. 431) providing for the consideration of House resolution 389; to the Committee on Rules.

By Mr. LEVER: Resolution (H. Res. 432) providing for the consideration of an amendment to H. R. 19359; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BENEDICT: A bill (H. R. 19622) granting a pension to Maude Deignan; to the Committee on Pensions.

Also, a bill (H. R. 19623) granting a pension to Joseph C. Betancue; to the Committee on Pensions.

By Mr. BURKE: A bill (H. R. 19624) granting an increase of pension to Charles W. Everson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19625) granting an increase of pension to William J. Johnston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19626) granting an increase of pension to August Krause; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19627) granting an increase of pension to Jacob F. Minch; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19628) granting a pension to Lizzie J. Hoadley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19629) granting an increase of pension to Anna Smith; to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 19630) for the relief of Thomas Campbell; to the Committee on Military Affairs.

By Mr. CARLIN: A bill (H. R. 19631) for promotion of Edward Lloyd, major, United States Army (retired), to position and rank of lieutenant colonel, United States Army (retired); to the Committee on Military Affairs.

By Mr. COOPER of Ohio: A bill (H. R. 19632) granting a pension to Lottie Kyle; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 19633) granting an increase of pension to Thomas E. Winfield; to the Committee on Invalid Pensions.

By Mr. ELSTON: A bill (H. R. 19634) granting a pension to Martin Tepper; to the Committee on Pensions.

By Mr. FAIRCHILD: A bill (H. R. 19635) granting an increase of pension to James Beyea; to the Committee on Invalid Pensions.

By Mr. FARR: A bill (H. R. 19636) granting a pension to Walter M. Bingham; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 19637) granting an increase of pension to Edward C. Roll; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 19638) granting an increase of pension to Calvin M. Skinner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19639) granting an increase of pension to Jesse H. Woodcock; to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 19640) granting an increase of pension to A. M. Stanger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19641) granting an increase of pension to Minnie O'Connor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19642) granting an increase of pension to Jacob Lyons; to the Committee on Pensions.

By Mr. HELVERING: A bill (H. R. 19643) granting an increase of pension to Charles Schiller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19644) granting an increase of pension to John W. Reed; to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 19645) granting an increase of pension to Bridget J. McCarthy; to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 19646) granting a pension to Christian Broemer; to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 19647) granting an increase of pension to Mary L. Papineau; to the Committee on Invalid Pensions.

By Mr. MORIN: A bill (H. R. 19648) granting an increase of pension to Harvey Bartley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19649) for the relief of Julius Zanone; to the Committee on War Claims.

By Mr. RAUCH: A bill (H. R. 19650) granting an increase of pension to Cyrus S. White; to the Committee on Pensions.

Also, a bill (H. R. 19651) granting an increase of pension to Franklin J. Sparks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19652) granting a pension to Thomas J. Scanlon; to the Committee on Pensions.

Also, a bill (H. R. 19653) granting a pension to Charles T. Abshire; to the Committee on Pensions.

By Mr. RICKETTS: A bill (H. R. 19654) granting an increase of pension to Arthur Armstrong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19655) granting an increase of pension to P. R. Sines; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19656) granting an increase of pension to Wesley A. Taylor; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 19657) granting an increase of pension to Jasper N. Cummings; to the Committee on Invalid Pensions.

By Mr. ROUSE: A bill (H. R. 19658) granting an increase of pension to Emma E. Stouder; to the Committee on Invalid Pensions.

By Mr. SISSON: A bill (H. R. 19659) granting a pension to Maud Perkins; to the Committee on Pensions.

By Mr. STEELE of Iowa: A bill (H. R. 19660) granting an increase of pension to Ezra Aspey; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Nebraska: A bill (H. R. 19661) granting a pension to George W. Crowder; to the Committee on Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 19662) granting an increase of pension to John W. Pence; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19663) granting an increase of pension to John Wharton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19664) granting an increase of pension to Peter Heis; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 19665) for the relief of the widow of S. S. Allen, deceased; to the Committee on Claims.

By Mr. SWEET: A bill (H. R. 19666) granting an increase of pension to Hiram S. Scott; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 19667) granting a pension to Rosco Wilkins; to the Committee on Pensions.

Also, a bill (H. R. 19668) granting a pension to William Raymer; to the Committee on Pensions.

By Mr. TILLMAN: A bill (H. R. 19669) granting an increase of pension to William W. Kimball; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19670) granting an increase of pension to Isaac J. Ledbetter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19671) granting an increase of pension to Henry J. Loughmiller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19672) granting an increase of pension to John Cavin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19673) granting a pension to James E. Braddock; to the Committee on Pensions.

Also, a bill (H. R. 19674) for the relief of Rudolph Seller; to the Committee on Military Affairs.



Also, a bill (H. R. 19675) for the relief of Andrew J. McCutchen; to the Committee on Military Affairs.

By Mr. TIMBERLAKE: A bill (H. R. 19676) granting a pension to Josephine G. Linn; to the Committee on Pensions.

Also, a bill (H. R. 19677) authorizing the Secretary of the Interior to issue a patent to John Zimmerman for certain lands in the Medicine Bow National Forest upon the surrender of other lands of an equal acreage, also located in the Medicine Bow National Forest, Colo.; to the Committee on the Public Lands.

By Mr. TREADWAY: A bill (H. R. 19678) granting an increase of pension to John H. Wells; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Ohio: A bill (H. R. 19679) granting a pension to Albert A. Marshall; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of Bakery and Confectionery Workers' International Union of America, against prohibition in any form; to the Committee on the Judiciary.

Also (by request), memorial of General Henry W. Lawton Camp, No. 4, United Spanish War Veterans of the District of Columbia, favoring passage of bill preventing desecration of the American flag; to the Committee on the Judiciary.

By Mr. ASHBROOK: Petition of Ashland Lodge, No. 767, Loyal Order of Moose, of Ashland, Ohio, against increase in postal rates on newspaper publications; to the Committee on the Post Office and Post Roads.

By Mr. BAILEY: Petition of F. E. Hetrick, James Mangus, H. A. Cuppels, P. J. Brennan, O. M. Stineman, S. S. Penrod, Albert Frye, Joe Bahle, Charles N. Crouse, George F. Gorman, C. H. Penrod, Edwin Bopp, Louis Steanch, jr., Alexander Ferguson, E. R. Burkett, H. Y. Burkett, Samuel Cassel, Paul Johnson, Abe Mandelstein, Harry Seagel, E. J. Burtnett, H. W. Malle, S. H. Mandelstein, C. E. Paul, Howard C. Fry, J. B. Custer, Cyrus Fry, Charles Clark, Ira E. Coleman, Frank Chrissey, B. C. Burtnett, John W. Custer, William T. Hale, C. H. Bottischer, Edwin Walls, Clarence Fox, John D. Wicks, Daniel Ressler, J. P. McCalla, A. C. Lanobey, Peter Say, Redington Reighard, John C. Bauerle, M. Zeigler, D. E. Bayer, John Roberts, W. C. Crawford, Evan Jones, John Koontz, and Arthur Truscott, all of South Fork, Pa., for an embargo on the exportation of farm products, clothing, and other necessities of life; to the Committee on Interstate and Foreign Commerce.

By Mr. BURKE: Petition of Local Union No. 89, Branch 2, of the International Union of United Brewery Workmen, of Jefferson, Wis., protesting against the passage of bills for Nation-wide prohibition, etc.; to the Committee on the Judiciary.

Also, petition of 32 post-office clerks, carriers, and railway mail clerks of Sheboygan, Wis., asking for increase in salary; to the Committee on the Post Office and Post Roads.

Also, petition of Watertown-Portage (Wis.) branch of the tenth division of railway mail clerks, for an increase of \$200 per annum for all railway mail clerks and substitutes; to the Committee on the Post Office and Post Roads.

By Mr. DALE of New York: Petition of Marks & Clerk, of New York City, against abolishing pneumatic mail-tube service; to the Committee on the Post Office and Post Roads.

Also, petition of Union Label Trades Department, against increase of postage rates on second-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. EAGAN: Petition of sundry citizens of the State of New Jersey, favoring woman suffrage; to the Committee on the Judiciary.

By Mr. ESCH: Petition of sundry citizens and church organizations of the State of Wisconsin, favoring national prohibition; to the Committee on the Judiciary.

Also, papers in support of House bill 19455, granting a pension to Lilla J. Darling; to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Petition of 338 citizens of the State of Michigan, favoring embargo on wheat; to the Committee on Interstate and Foreign Commerce.

By Mr. FOCHT: Petition of citizens of Huntingdon and Waynesboro, Pa., favoring prohibition bills; to the Committee on the Judiciary.

Also, evidence in support of House bill 12860, for the relief of John F. De Wire; to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of Local Union No. 2706, United Mine Workers of America, South Wilmington, Ill., favoring embargo on foodstuffs; to the Committee on Interstate and Foreign Commerce.

Also, petition of International Union of United Brewery Workmen of America, Local Union No. 33, of Peru, Ill., opposing national prohibition; to the Committee on the Judiciary.

Also, petition of Rockford (Ill.) Typographical Union, No. 213, against increase of second-class postage rates; to the Committee on the Post Office and Post Roads.

By Mr. GALLIVAN: Petition of Massachusetts Council, Friends of Irish Freedom, Pittsfield, Mass., urging Congress to see that delegates to the proposed peace conference act as the champions of Irish freedom, etc.; to the Committee on Foreign Affairs.

By Mr. GARDNER: Petition of Roy E. Morse, of Amesbury, Mass., favoring increased compensation for rural free delivery carriers; to the Committee on the Post Office and Post Roads.

Also, petition of Indian Hill Council, No. 11, Junior Order United American Mechanics, West Newbury, Mass., protesting against the proposed increase in the postage rates on magazines and periodicals; to the Committee on the Post Office and Post Roads.

By Mr. GRIEST: Memorial of Oscar A. Smith, of Lancaster, Pa., relative to Stevens-Ashurst price-maintenance bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of the State of Pennsylvania, favoring national prohibition; to the Committee on the Judiciary.

By Mr. HAMLIN: Papers to accompany House bill 19023, for the relief of Luther Martin; to the Committee on Invalid Pensions.

Also, papers to accompany House bill 19024, for the relief of M. F. Allyn; to the Committee on Invalid Pensions.

By Mr. HASTINGS: Petition of Capt. P. D. Kenyon and others, of Oklahoma City, favoring retired Volunteer officers' bill; to the Committee on Military Affairs.

By Mr. MORIN: Petition of the Butler Street Methodist Episcopal Church, of Pittsburgh, Pa., by Frederick Spielman, president, and William G. Thomas, secretary, with reference to an amendment to the Constitution preventing polygamy; to the Committee on the Judiciary.

Also, petition of the Allegheny County Branch of the German-American Alliance of Pennsylvania, August Buchholtz, secretary, with reference to an embargo on foodstuff; to the Committee on Interstate and Foreign Commerce.

By Mr. SLEMP: Petition of employees of post offices in Virginia, for increase in pay; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Michigan: Petition of C. A. Hubbard, of Kalamazoo, Mich., against House bill 18986 and Senate bill 4429, mail-exclusion bills; to the Committee on the Post Office and Post Roads.

By Mr. STEENERSON: Petition of sundry citizens of Crookston, Minn., favoring legislation which restores to the public and conserves the water power, forest, and mineral resources of the United States; to the Committee on the Public Lands.

Also, petition of Obert Fossay, president, and M. G. Steen, secretary, Oak Mound Farmers' Club, Moorhead, Minn., protesting against proposed embargo on foodstuffs and farm products; to the Committee on Interstate and Foreign Commerce.

Also, petition of Commercial Club of Crookston, Minn., and Boxville Farmers' Club, of Warren, Minn., protesting against embargo on foodstuffs and farm products; to the Committee on Interstate and Foreign Commerce.

By Mr. STINESS: Papers to accompany House bill 19508, granting an increase of pension to John U. Whitford; to the Committee on Invalid Pensions.

By Mr. SWEET: Memorial of citizens of Waterloo, Iowa, favoring national prohibition; to the Committee on the Judiciary.

Also, memorial of Council Bluffs (Iowa) Chamber of Commerce, favoring change of naturalization laws; to the Committee on Immigration and Naturalization.

Also, memorial of Waterloo (Iowa) Women's Club, favoring suffrage for women; to the Committee on the Judiciary.

By Mr. VAN DYKE: Petition of the Golden Rule Department Store, of St. Paul, Minn., against passage of the Stephens bill; to the Committee on Interstate and Foreign Commerce.

By Mr. WASON: Memorial of the Woman's Christian Temperance Union Institute, of Grafton County, N. H., favoring national prohibition; to the Committee on the Judiciary.